CITY OF LAREDO

CITY COUNCIL MEETING
A-2004-R-05
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
MARCH 29, 2004
5:30 P.M.

C DISABILITY ACCESS STATEMENT

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact Gustavo Guevara, City Secretary at (956) 791-7308 at least two working days prior to the meeting so that appropriate arrangements can be made. The accessible entrance and accessible parking spaces are located at City Hall, 1100 Victoria Ave.

Out of consideration for all attendees of the City Council meetings, please turn off all cellular phones and pagers, or place on inaudible signal. Thank you for your consideration.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES

Approval of the minutes of February 17, 2004, March 1, 2004 and March 8, 2004.

V. COMMUNICATIONS AND RECOGNITIONS

Announcements

Invitations

Recognitions

a. Recognition of Doroteo Vasquez of the Parks and Recreation Department on his selection as February 2004 Employee of the Month.

Communiqués

VI. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

VII. PUBLIC HEARINGS

- 1. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning Lot 5, Block 563, Eastern Division, located at 918 Willow Street, from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.
- 2. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning the west 46.30 feet of Lot 8, Block 1536, Eastern Division, located at 2602 Ash Street, from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District); providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed zone change.
- 3. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by authorizing the issuance of a Conditional Use Permit for general automotive repair on Lots 19 and 20, Block 30, Vista Hermosa, Unit II, located approximately at the 5400 block of McPherson Road, providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed Conditional Use Permit.
- 4. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by rezoning 21.88 acres, as further described by metes and bounds on attached Exhibit "A," located east of Havanna Drive, from AG (Agricultural District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.
- 5. Public hearing and introductory ordinance amending the Zoning Ordinance Map of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Avenue; providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed Conditional Use Permit.
- 6. Public hearing and introductory ordinance amending Laredo Land Development Code, Sections 24.63.2, 24.65.14 and Appendix A, by allowing, regulating and defining nationalization "nacionalizacion" of vehicle enterprises in certain zoning districts; providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed ordinance amendment.

- 7. Public hearing and introductory ordinance authorizing Batista Roman Enterprises, Inc., a non-exclusive franchise, to construct, maintain and operate a commercial container refuse gathering and disposing service in the city of Laredo, Texas, and providing the terms, conditions, obligations, and limitations upon and under which such franchise shall be exercised; providing indemnity to the city; city retains authority to regulate rates except for rate increases resulting from increased landfill fees which are passed on to the customer; providing for increased service rates; providing for franchise payments; and providing for severability.
- 8. Public hearing and introductory ordinance accepting a grant from the Federal Emergency Management Agency (FEMA) which has awarded a \$27,350.00 grant with the City of Laredo designating \$11,722.00 in matching funds for a total of \$39,072.00 and amending the City of Laredo FY 2003-2004 annual budget from General Fund by appropriating the said grant revenue to the appropriate expenditure accounts. The grant monies will be used to implement rapid intervention team kits (rit kits) along with the purchase of the two (2) thermal imagers. Matching funds are available in General Fund.
- 9. Public hearing and introductory ordinance amending the City of Laredo FY 2003-2004 full-time equivalent positions by increasing one (1) part-time Health Educator position on a total of .48 FTE without benefits to .50 FTE with benefits in the Childhood Lead Poisoning Prevention Program of the City of Laredo Health Department for the period beginning November 1, 2003 through June 30, 2004. Funding is available in Childhood Lead Poisoning Prevention Program Grant.
- 10. Public hearing and introductory ordinance authorizing the City Manager to amend the City of Laredo's FY 2003-2004 full-time equivalent positions by converting three (3) part-time with no benefits (1.44 FTE) Community Service Aide positions at 19.21 hours each per week to one (1) full-time position with benefits Community Service Aide position in the HIV Prevention Project of the City of Laredo Health Department, funded by the Texas Department of Health to provide continuous support services to the HIV Program clients and to maintain effective preventive services. Funding is available in the HIV Prevention Project Grant.
- 11. Public hearing and introductory ordinance authorizing the City Manager to amend the City of Laredo's FY 2003-2004 full-time equivalent positions by converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for HIV-Infected Persons Project (PSHIP) of the City of Laredo Health Department to provide continuous

- support services and to maintain effective client prevention services. Funding is available in the HIV-Infected Persons Project (PSHIP) Grant.
- 12. Public hearing and introductory ordinance authorizing the City Manager to amend the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures by \$10,000.00 which represents a contribution from Mercy Health Plans for children's health insurance outreach activities of the City of Laredo Health Department for the period beginning May 1, 2004, through September 30, 2004.
- Public hearing and introductory ordinance amending the City of Laredo FY 2003-2004 annual budget by decreasing revenues and expenditures in the amount of \$33,644.00 to reflect the actual grant amount of \$332,590.00 from the South Texas Development Council for the HIV/AIDS Ryan White Title II Services Program of the City of Laredo Health Department for the period of April 1, 2004, through March 31, 2005.
- 14. Public hearing and introductory ordinance authorizing the City Manager to enter into an agreement with the Federal Bureau of Investigation in the amount of \$10,000.00 and amending the City of Laredo FY 2003-2004 General Fund by 10,000.00. The purpose of the agreement is to reimburse the cost of overtime and fringe benefits incurred by the Laredo Police Department in providing resources to OCDETF (Organized Crime Drug Enforcement Task Forces). The term of this agreement is from October 1, 2003 through September 30, 2004.
- 15. Public Hearing and introductory ordinance amending Chapter 14 (Garbage, Trash & Refuse) of the Code of Ordinances, specifically to update the ordinance to address the Solid Waste Director, add and refine definitions and services, change the Landfill City Vehicle Rate Fee to \$1.25, add a commercial exemption administrative fee of \$2.50, to add a credit account late fee of \$100.00 and revise franchise requirements; providing for publication and effective date.
- 16. Public hearing and introductory ordinance amending the City of Laredo FY 2003-2004 Solid Waste Fund Budget by appropriating a draw down of \$241,751.00 from the opening balance and appropriating it for equipment acquisition. The project consists of one (1), five wheel loader for landfill operations. The bid price includes provisions for a five-year maintenance contract and guaranteed repurchase price.

(Recess) (Press Availability)

VIII. INTRODUCTORY ORDINANCES

- 17. Authorizing the City Manager to convey on behalf of the City of Laredo, as Trustee, Lots 2, 3, 4, 5, 6, and 7, Block 261, Eastern Division, to Laredo Independent School District; such conveyance being for the consideration of \$182,000.00 of which the net proceeds shall be disbursed to the creditor taxing entities in the proportion each entity holds of the Tax Judgment; and providing for effective date.
- 18. Authorizing City Manager to (1) convey Benavides Street between Davis and Main Avenues and (2) to convey Garcia Street between San Dario and San Eduardo Avenues, subject to retention of easements for existing utilities on said street sections and (3) to sign a Licensing Agreement whereby LISD may use indefinitely a 20' wide section of Davis Avenue of 0.0291 acres adjacent to Blocks 255 and 274, Western Division, City of Laredo, County of Webb, Texas, as a parking adjunct to MacDonnell School.
- 19. Authorizing the City Manager to convey to Laredo Independent School District, for the consideration of \$19,300.00, a tract of land being the section of Plum Street between Logan and Tilden Avenues, with reservation of the tract as a drainage and utility easement; and providing for effective date.
- 20. Authorizing the City Manager to execute a Foreign-Trade Zone Operations Agreement between the City of Laredo, as Zone Grantee of Foreign-Trade Zone No. 94, and Transmaritime, Inc., as Zone Site Operator, for approximately one (1) acre of activated space located at 22219 Mines Road, Foreign-Trade Zone Site 8 for three (3) years commencing on March 1, 2004 and ending on February 28, 2007. Said agreement provides that activation, administration and transaction fees be paid to the City; providing for an effective date.
- 21. Closing as a public easement a 231.45 sq. ft. (5' x 46.29') parcel of land, more or less, out of the 1300 block of Green Street between Stone and Loring Avenues, said parcel of land is being encroached upon by the improvements of the abutting property being Lot 9, Block 714, Eastern Division, City of Laredo, County of Webb, described in attached "Exhibit A" and authorizing the sale of the "Surface Only" of said parcel of land at the market value of \$556.00 and authorizing the City Manager to execute all necessary documents to effectively convey fee simple title to Patricia Hernandez and providing for an effective date.
- 22. Setting the maximum speed limit on that portion of FM 1472 within the city limits of Laredo, Webb County, Texas, from 50 mph to 45 mph from milepoint 14.2 to milepoint 13.9 and as from 55 mph to 45 mph from

milepoint 13.9 to 13.8 as defined in the Texas Department of Transportation control section map 2150-04-040, to be in effect during construction providing for installation of appropriate signs to indicate speed changes in the designated areas and providing for publication and effective date.

IX. FINAL READING OF ORDINANCES

23.

2004-O-054

Adopting a budget for FY 2003-2004 for the South Texas Regional 911 System Fund. The proposed budget consists of \$1,015,921.00 in revenues from the Commission on State Emergency Communications and \$1,015,921.00 in expenditures for the following counties: Webb (City of Laredo) County, Jim Hogg County, Starr County, Zapata County and Regional System.

2004-O-055

Authorizing the City Manager to amend the City of Laredo FY 2003-2004 Full Time Equivalent Positions by reclassifying three (3) Fire Fighter Positions to three (3) Fire Captain Positions for the Fire Suppression Division, EMS and the Fire Prevention Division of the Fire Department. Funding is available in the General Fund Reserve Appropriation in the amount of \$27,651.00.

2004-O-056

Closing as a public easement that section of Mier Street between McDonnell and Monterrey Avenues situated in the Eastern Division, City of Laredo, County of Webb, Texas; and providing for effective date.

2004-O-057

Closing as a public easement that section of the 2200 block of Lincoln Street between the west right-of-way line of Eagle Pass Avenue and the Laredo Community College property situated in the Western Division, City of Laredo, County of Webb, and providing for an effective date.

2004-O-058

Abandoning two utility easements located in Lot 74 and in the westerly 39.94 feet of Lot 73, Block 5 Regency Park Subdivision, Unit 1, Section 1, City of Laredo, Webb County, Texas, as shown in Exhibit "A"; and providing for effective date.

2004-O-059

Amending Chapter 19, Section 541 to 544, titled "Transit Committee," Motor Vehicles and Traffic," Article XII, Division I "Transit System," of the Code of Ordinances of the City of Laredo, thereby clarifying the appointment and role of the City Council members serving on the Transit Committee; providing for severability; and effective date.

2004-O-060

Designating as a one-way northbound the 700 and 800 block of Bartlett Avenue, between Market Street and Guatemozin Street and as a one-way southbound the 700 and 800 block of Malinche Avenue, between Market Street and Guatemozin Street, providing for the installation of appropriate signs to indicate one-way traffic in the designated directions and providing for publication and effective date.

2004-O-061

Amending the FAR Part 150 Airport Noise Abatement Compatibility Program Fund budget for the FY 2003-2004 by appropriating \$400,000.00 from the beginning fund balance of \$623,981.00 for demolition costs, for those properties that are not feasible for renovation and authorizing the City Manager to implement said budget amendment.

X. RESOLUTIONS

- 24. 2004-R-024 Accepting the donation of a 0.003 of an acre (123.984 sq. ft.) parcel of land, as a permanent easement, from the Ike Alexander Estate, for the Iturbide Street Urban Mall Project. Said parcel of land being out of Lot 10, Block 35, Western Division, City of Laredo, Webb County, Texas.
- 25. <u>2004-R-025</u> Accepting the donation of a Drainage Easement from Alexander Residential Development, L. P., a Texas Limited Partnership. Said Drainage Easement consisting of two tracts, located in the DJ Alexander Subdivision being:

Tract I - a 151.00-foot-wide strip of land containing 41,817 square feet or 0.96 acres of land, more or less, out of Porcion 25, Abstract 50, and partly out of Porcion 26, Abstract 282, City of Laredo, Webb County, Texas; as described by metes and bounds and survey attached as Exhibits A and B; and

Tract II – a 156.00-foot-wide strip of land containing 69,553 square feet or 1.60 acres of land, more or less, out of Porcion 25, Abstract 50, and partly out of Porcion 26, Abstract 282, City of Laredo, Webb County, Texas; as described by metes and bounds and survey attached as Exhibits C and D.

- 26. 2004-R-026 Accepting the donation of one utility easement from Leopoldo Rodriguez and wife, Yolanda Rodriguez, for the D-5 Acres Subdivision Easement Acquisition Project. This being a strip of land 15 feet in width, containing 3,142.44 square feet or 0.072 of an acre, more or less, and being situated in Porcion 33, Abstract 3084, D-5 Acres Subdivision, and described by metes and bounds and survey attached as Exhibits A and B.
- 27. 2004-R-027 Authorizing the City Manager to apply for a grant in the amount of \$637,267.00 to fund the Laredo Financial Disruption Task Force and a grant in the amount of \$99,916.00 to fund the Laredo Multi-Agency Drug Related Public Corruption Task Force. Both grants are funded by the Executive Office of the President, Office of the National Drug Control Policy (ONDCP), High Intensity Drug Trafficking Area (HIDTA) at no cost to the City. Funding will be used to pay benefits, overtime, travel and operating expenses from January 1, 2005 through December 31, 2005.
- 28. 2004-R-028 Authorizing the surplus proceeds from the City of Laredo Public Property Finance Contractual Obligation (PPFCO), Series 2002A, in the amount of \$24,438.00 for the purchase of a Graco Lazer III 5900 airless walk behind striper, Pro-35 II Diesel asphalt/concrete cutter BM 250 bituminous applicator and a line remover for the Traffic Safety Department's traffic pavement markings and signals installation projects.
- 29. **2004-R-029** Authorizing the City Manager to execute an Interlocal Agreement between the County of Zapata and the City of Laredo for the collection of landfill fees for the disposal of garbage at the City's landfill site by the County of Zapata.
- 30. 2004-R-030 Authorizing the City Manager to submit two grant applications to the Federal Aviation Administration Airport Improvement Program and to accept Grant Project No. 3-48-0136-41-04 in the estimated amount of \$6,000,000.00 for the purpose of implementation of airport noise abatement program and acquisition of a tract of land located within the Runway Protection Zone and accepting a second Grant Project No. 3-48-0136-42-04 in the estimated amount of \$4,276,134.00 for the purpose of installing an Engineered Materials Arresting System (EMAS) at end of Runway 35L, rehabilitating a portion of the taxiway system and constructing cargo pads at the Laredo International Airport. The City's five (5%) percent local match for this project in the amount of \$540,850.00 is available from the Airport Fund Balance/Land Sale Proceeds.
- 31. <u>2004-R-031</u> A resolution of the City of Laredo, Texas, opposing any school finance or tax system reforms that would negatively affect city revenues and economic development efforts.

- 32. **2004-R-032** Resolution expressing the City of Laredo, USA, to the citizens of Madrid, Spain and the people of Spain for the tragedy of the terrorist attacks of March 11, 2004, and directing the City Secretary to transmit a certified copy of this resolution to the King of Spain and the Mayor of our Sister City of Laredo, Cantabaria, Spain.
- 33. <u>2004-R-033</u> A resolution of the City of Laredo to develop and implement a 10-Year Plan to End Homelessness throughout the community by providing access to permanent and transitional housing and the needed support services.

XI. MOTIONS

- 34. Authorizing the City Manager to execute an Interlocal Agreement between the City of Laredo and the County of Webb in the amount of \$36,026.00 for the provision of addressing for all unincorporated areas in Webb County and addressing maintenance for all of Webb County, including the incorporated area of the city of Laredo, for the period ending August 31, 2004.
- 35. Approval to appoint Dr. Maurice Click to continue to serve as the Health Department's Health Authority under Section 121.033 of the Texas Health and Safety Code, for the period of April 1, 2004, through March 31, 2006, and authorizing the City Manager to enter into a contract with Dr. Click for professional services in the amount not to exceed \$12,720.00 per year. Funding is available in the Office of Public Health Practice Grant.
- 36. Consideration to approve a contract with Washington's Birthday Celebration Museum of Laredo, Texas, to oversee the day to day operations of the museum located at 900 Zaragoza Street, Suite 100, which is filled with costumes and other paraphernalia commemorating and promoting Laredo's oldest and largest celebration. The City of Laredo Convention & Visitors Bureau will also operate the venue as an information center and will hire 1.5 personnel for daily management.
- 37. Authorizing the City Manager to (1) amend its 2002 Emergency Shelter Grant (ESG) contract with the Laredo Homeless Coalition by reducing the amount of shelter operation funds by a total of \$15,000.00 from \$60,000.00 to \$45,000.00 and (2) to enter into contract and award the \$15,000.00 to Casa de Misericordia for shelter operations. These changes pertain to 2002 Emergency Shelter Grant Funds, which are made available by the U.S. Department of Housing and Urban Development.
- 38. Authorizing the City Manager to execute a six-month Extension Agreement and allocating an additional \$109,554.00 to the originally approved budget

in the amount of \$215,762.00, of a Professional Services Contract entered into with W. D. Schock Company, Inc., for the provision of residential sound reduction services, as part of the City of Laredo International Airport Noise Compatibility Program. Said contract includes other services yet to be determined such as legal work, title and air space easements, recording, and environmental testing. These items will be done by subcontractors that will be screened by W. D. Schock Company, Inc. Funding is available in the Noise Abatement Fund.

- 39. Consideration to award contract FY04-059 to the low bidder, Cere Environmental, Brooklyn Park, MN, in the estimated annual amount of \$36,880.00 for the grinding of wood waste material (brush, branches, pallets, etc.) at the City Landfill. Approximately 15,000 cubic yards of material are available for disposal. The contract is based on a unit cost of \$1.39 cubic yard of material, which is 2% less than the previous contract amount. Funding is available in the Solid Waste Fund.
- 40. Approving monthly adjustments to the tax roll. The amount to be adjusted for the month of February 2004, represents an increase of \$82,563.87. These adjustments are determined by Webb County Appraisal District and by court orders.
- 41. Refund of property tax to the following taxpayers and companies:
 - a. A refund in the amount of \$2,052.28 payable to Guaranty Residential Lending due to a double payment. Account # 968-81001-020.
 - b. A refund in the amount of \$737.57 payable to Chase Mortgage due to a double payment. Account # 909-00481-042.
 - c. A refund in the amount of \$1,010.64 payable to Border Title Group due to double payment. Account # 909-40002-050.
 - d. A refund in the amount of \$3,078.78 payable to Holt Company of Texas due to a double payment. Account #804-30098-001.
 - e. A refund in the amount of \$3,921.81 payable to Ayoub Investments-Texas due to a clerical error certified by the Webb County Appraisal Review Board. Order # 03-6255 of Supplement # 1. Account # 977-30003-140.
 - f. A refund in the amount of \$634.86 payable to Juan A. Esparza due to a double payment. Account # 936-0009-140.
 - g. A refund in the amount of \$524.90 payable to The Laredo National Bank due to an erroneous payment. Account # 968-80003-060.
 - A refund in the amount of \$1,000.02 payable to Jose Vasquez Ancira and Luis F. Vasquez Diaz due to an over payment Account # 977-30001-050.
 - A refund in the amount of \$945.05 payable to Aurora Loan Services, Inc. due to a double payment. Account # 990-20014-050.
 - j. A refund in the amount of \$569.99 payable to Araceli Gallo due to an erroneous payment. Account # 811-18000-186.
 - k. A refund in the amount of \$8,274.01 payable to Lowe's Home Center Inc. due to a decrease in value certified by the Webb County Appraisal Review Board. Case # 2002CVQ000976-D2 of Supplement # 8. Account # 976-20002-300.

- 42. Consideration to authorize the purchase of nine thousand (9,000) garbage/refuse carts from Toter, Inc., Statesville, NC, through the State of Texas Contract Number 450-A2 for two wheel containers pricing in the total amount of \$351,000.00. Funding is available in the Solid Waste Fund.
- 43. Authorizing the issuance of a request for proposal (RFP) for the Rail Line Relocation Feasibility Study. The Metropolitan Planning Organization MPO has budgeted \$60,000.00 for the project and funding for the project is available in the MPO Account.
- 44. Amending the construction contract with Landmark Structures Inc., for the over sizing of the SH 359 Work Order #6 Elevated Storage Tank from 250,000 gallons to 500,000 gallons. The contract is subject to the approval by the Texas Water Development Board. This amendment increases the contract by \$92,000.00 from \$913,950.00 to \$1,005,950.00.
- 45. Consideration to fund an additional year of the contract with the Southwest Texas Rain Enhancement Association for \$77,397.53 to cover the cost of the 2004 program. The program, which will run through December 2004, provides coverage of the entire surface of Webb County. The City will guarantee the full payment of the program and will collect contributions and other commitments from Webb County landowners to defray the cost. Funding is available in the Water Availability Fund.
- 46. Authorizing the City Manager to amend a professional services contract to Professional Operations, Inc., Dallas, Texas, in the amount of \$14,940.00 for services related to the update of adjustment of the rate study in order to anticipate the current needs of the Capital Improvement Fund. The rate study will be used to plan future bond issuances. Funding is available in the Impact Fees Account.
- 47. Consideration for approval of the selection of consultant Saldana and Associates, Inc., San Antonio, Texas, in association with Mr. Joe C. Freeman, Architect Historic Preservation Consultant, Austin, Texas, for the Former Southern Hotel located at the 1200 Block of Matamoros Street and authorization to negotiate a professional services contract. Funding is available in the 2002 CO Issue Former Southern Hotel.
- 48. Consideration for approval of the El Cuatro Park/Electrical and Illumination System and approval of final payment in the amount of \$9,354.87 to Cantu Electric Company, Laredo, Texas. Final contract amount is \$47,246.86. Funding is available in the Community Development Projects/El Cuatro Park 27th Action Year/2001 Grant.

- 49. Consideration for approval of acceptance of the Inner City Park located between Locust and Plum Streets and between Barcelona Avenue and McDonnel Avenue, and approval of final payment in the amount of \$60,675.09 to Leyendecker Construction, Inc., Laredo, Texas. Final contract amount is \$2,576,691.35. Funding is available in the Inner City Park and Retainage Payable.
- 50. Consideration for approval of acceptance of the construction of 8 feet high wrought-iron fence between Laredo International Bridges 1 and 2 at the former GSA import lot and approval of final payment in the amount of \$7,639.00 to J. Solis Maintenance and Welding Services, Laredo, Texas. Final contract amount is \$76,390.00. Funding is available in the Bridge System Retainage Payable.
- 51. Consideration to award a construction contract to the sole bidder Rhino Builders, Ltd., Laredo, Texas, for the Seven Flags Park Rehabilitation Project in the bid amount of \$411,792.25. Funding is available in the Capital Improvement Fund Seven Flags Park Rehabilitation.
- 52. Consideration for approval to re-bid the Zacate Creek Linear Park Phase III, IV & V Scope II due to the sole bidder's failure to submit a bid bond, therefore bid is not acceptable. Funding is available in the Capital Improvement Fund Zacate Creek Linear Park.
- 53. Approval of City staff's recommendation for termination of construction contract with Pete Gallegos Paving, Inc., Laredo, Texas, for the Eastwoods Park Project due to "Notice of Abandonment of Work and Default of Contract," and pursuant to paragraph C-9.08 of the construction contract documents and the Engineer's Certificate stating that sufficient cause exists to justify termination of the construction contract and taking actions as are permitted under the terms of the construction contract.
- 54. Approval of City staff's recommendation for termination of construction contract with Pete Gallegos Paving, Inc., Laredo, Texas, for the Santa Rita Park Improvements Project due to "Notice of Abandonment of Work and Default of Contract," and pursuant to paragraph C-9.08 of the construction contract documents and the Engineer's Certificate stating that sufficient cause exists to justify termination of the construction contract and take actions as are permitted under the terms of the construction contract.
- 55. Consideration to award a design/build contract to TNT Construction Company, Inc., Waco, Texas, in the amount not to exceed \$399,300.00 for the Farias and Lafayette Street Spray Parks. Funding is available in the Community Development Projects/Farias Splash Playground/Lafayette Splash Playground.

- 56. Consideration to award an engineering contract to Olympia Landscape Irrigation & Lawn Service, Laredo, Texas, for an amount not to exceed \$62,800.00 for surveys, design, and preparation of plans and specifications and installation of all equipment necessary thereof for the Zacate Creek Irrigation Project to be located between Saunders and Lyon Streets West of Zacate Creek. Funding is available in the Capital Improvements Projects Zacate Creek Irrigation.
- 57. Consideration to award an engineering contract to Quality Water Products Irrigation Division, San Antonio, Texas, for an amount not to exceed \$101,140.00 for surveys, design, and preparation of plans and specifications and installation of all equipment necessary thereof for the Father McNaboe Irrigation Project to be located at the developed soccer, baseball, picnic and open play areas at the lower level of the park. Funding is available in Capital Improvements Projects–Father McNaboe Park Improvements.
- 58. Consideration to award contract FY04-063 to the low bidder, BWI, Schulenburg, Texas, in the estimated amount of \$23,886.70 for providing bermuda seeds, fertilizer, and paper blocks for mulching for the Parks and Recreation Department. The term of this contract will be for a period of six months. All items will be purchased on an as needed basis. Funding is available in the Parks and Recreation Department budget and construction projects-El Cuatro and Inner City Parks.
- 59. Consideration to award contract FY 04-062 to Leslie Poolmart, Inc., Phoenix, Arizona, in the estimated amount of \$35,626.42 for providing pool chemicals for the Parks and Recreation Department. The City received four bids for the purchase of pool chemicals for the maintenance of City's swimming pools. Due to lack of storage space and safety concerns of storing high volumes of chlorine, the department is now requesting that the chemicals be delivered monthly to each swimming pool. The contract pricing is the same as the previous year. Funding is available in the Parks and Recreation Department budget.
- 60. Consideration to award contract FY04-060-124, to UTW Tire Collection Services, Laredo, Texas in the estimated amount of \$43,500.00 for the removal and disposal of tires at the City landfill. The term of this contract will be for one-year period with an option to extend this contract for three (3), one-year terms. Staff estimates that approximately 500 tons of tires will be removed; however, this contract is based on actual tons of tires removed and disposed from the landfill. The contract pricing is approximately 18% less than the previous contract amount. Funding is available in the Solid Waste Budget.

61. Consideration to award contract number FY04-058 to the low bidder, Mr. Camera, Laredo, Texas, in the estimated amount of \$26,800.20 for the purchase of photographic film and film processing. A base price has been established for a twelve-month period for the purchase of a 35mm and Polaroid films and photo development services for all City departments. All services and film will be secured on an as needed basis. Funding is available in the Police, Community Development, Parks and Recreation, Environmental Services, and Building Departments' budgets.

XII. STAFF REPORTS

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A. Status report on Veteran's Monument.

XIII. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

63.

A. Request by Council Member Johnny Amaya

- Status report on pending repairs of empty elevated storage tank at Lyon and Meadow.
- 2. Discussion with possible action regarding traffic and street repairs on Lyon Street between Springfield and Meadow.
- 3. Discussion with possible action regarding lighting on Lyon Street between Springfield and Meadow, with possible action.
- 4. Authorizing the use of approximately \$5,000.00 in discretionary funds from District IV for the construction of sidewalks on the south side of the 700 block of Stewart. Construction will be completed in-house by the Engineering/Public Works Department and proceeding with the 1300 Block of Stewart funded by the Transit Sales Tax Fund.

B. Request by Council Member Gene Belmares

- 1. Discussion with possible action regarding parking issues in District VI.
- 2. Discussion with possible action regarding park space in District VI.
- 3. Request for comprehensive report regarding COPS program, including initial intent, accomplishments to date, and future plans.

4. Discussion with possible action regarding the 2004 street recycling program.

C. Request by Council Member Juan Ramirez

- 1. Discussion with possible action regarding the hiring of police officers due to recent retirement numbers at Police Department.
- 2. Discussion with possible action regarding distribution of information and hosting of town hall meeting to educate business owners in crime prevention.
- Discussion with possible action regarding increasing illumination of street lights from the 1200 to 2700 blocks of San Bernardo Avenue.
- 4. Status report on El Cuatro and Seven Flags Parks.

XIV. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

64. Request for Executive Session pursuant to Texas Government Code Section 551.072 in order to deliberate on the value of, and possible purchase of, real property near Laredo International Airport, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.

XV. ADJOURNMENT

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Wednesday, March 24, 2004 at 6:30 p.m.

Gustavo Guevara, Jr.

City Secretary

SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 5, Block 563, Eastern Division, located at 918 Willow St., from M-1 (Light Manufacturing District to R-3 (Mixed Residential District); providing for publication and effective date. The Planing and Zoning Commission has recommended approval of the proposed zone change. Staff source:			•	
Gustavo Zamarripa Keith Selman, Planning Director Cynthia Collazo, Asst. City Manager Prior action: None. BACKGROUND Council District: III - John C. Galo Proposed use: Residential (a manufactured home) Site: The site is occupied by a shed type structure. Surrounding land uses: The site is located approximately one-half block south of the Tex-Mex rairoad mainline and one half block east of a Tex-Mex rail-line spur. Warehouses, single family residences and the Tex-Mex rail-line occupy the area south, west and north of the site, while mostly single family residences occupy the area to the east. Comprehensive Plan: The Future Land Use Map recognizes this area as Warehouse/Light Industriation Plan: The Long Range Thoroughfare Plan does not recognize Willow St. Letters sent to surrounding property owners: 20 In Favor: 2 Opposed: 0 STAFF COMMENTS The proposed zone change is appropriate at this location. Though inconsistent with the Comprehensive Plan's Warehouse/Light Industrial designation, the proposed less intensive zone is compatible		Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 5, Block 563, Eastern Division, located at 918 Willow St., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District); providing for publication and effective date. The Planning and Zoning Commission has recommended approval of the proposed zone change.		
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	sive Pla	n's Warehouse/Light Industrial designation, the		

P&Z COMMISSION RECOMMENDATION:

The P & Z Commission, in a 7 to 0 vote, recommended approval of the zone change.

STAFF RECOMMENDATION: Staff <u>supports</u> the proposed zone change.

IMPACT ANALYSIS R-3 (Mixed Residential District): The purpose of the R-3 is to provide an area for higher density residential uses, the use of mobile homes on single lots, and those public and semipublic uses normally considered an integral part of the neighborhood they serve. Is this change contrary to the established land use pattern? No, the surrounding land uses include residential type uses. Would this change create an isolated zoning district unrelated to surrounding districts? No, the adjoining districts are M-1 and R-3. Will change adversely influence living conditions in the neighborhood? No, the proposed change will allow for uses that are present in the surrounding neighborhood. Are there substantial reasons why the property can not be used in accordance with existing zoning? No.

CITY OF LAREDO ORDINANCE NO. 2004-O-

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING LOT 5, BLOCK 563, EASTERN DIVISION, LOCATED AT 918 WILLOW ST., FROM M-1 (LIGHT MANUFACTURING DISTRICT) TO R-3 (MIXED RESIDENTIAL DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of Lot 5, Block 563, Eastern Division, located at 918 Willow St., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended approval of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

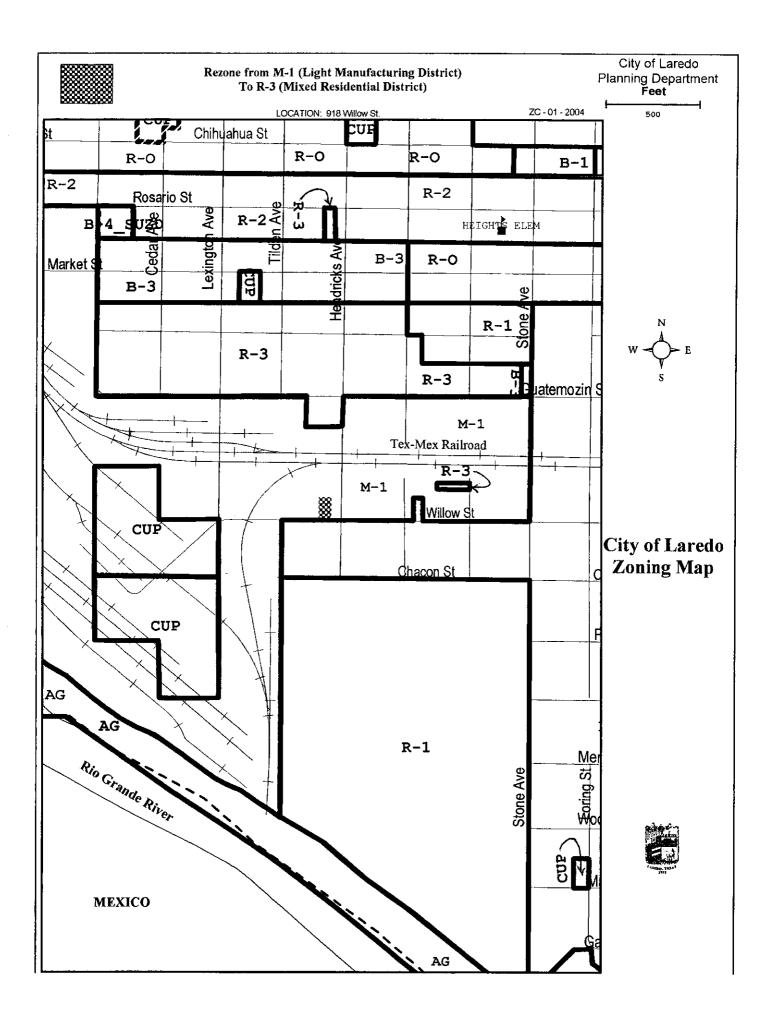
WHEREAS, the City Council has held a public hearing on March 29, 2004, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

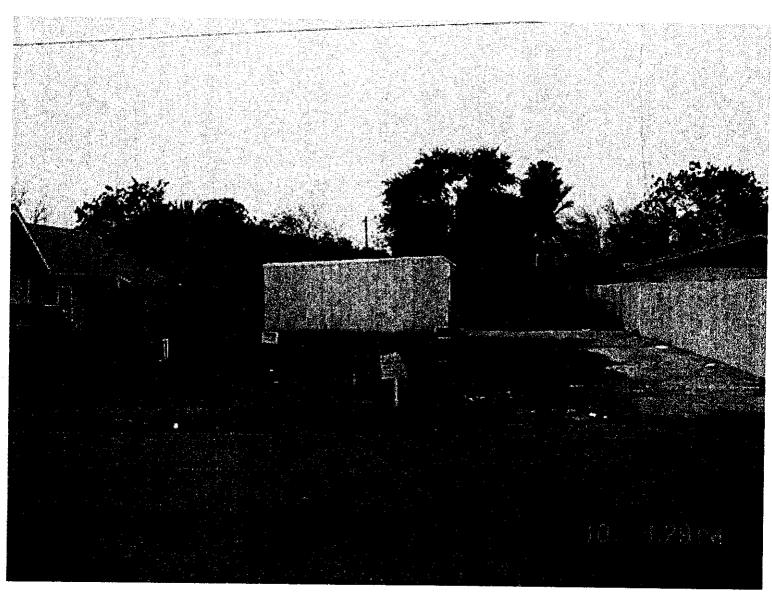
Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning Lot 5, Block 563, Eastern Division, located at 918 Willow St., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.			
Section 3: This ordinance shall be specified in Section 2.	ome effective as and from the date of publication		
PASSED BY THE CITY COUNCIL AND DAY OF	APPROVED BY THE MAYOR ON THIS THE , 2004.		
	ELIZABETH G. FLORES		
,	MAYOR		
ATTEST:			
GUSTAVO GUEVARA, JR. CITY SECRETARY			
APPROVED AS TO FORM: JAIME FLORES CITY ATTORNEY			
BY: ANTHONY, C. MCGETTRICK			
ASSISTANT CITY ATTORNEY			



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51.



ZC-01-04

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SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN OPDINANCE

Date.	SUBJECT: I OBEIC HEARING AND INTRODUCTION OF AN ORDINANCE		
	Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the west 46.30		
03/29/04			
	ily Residential District) to R-2 (Multi-Family 1	Residential District); providing for publica-	
tion and effective date. The Planning and Zoning Commission has recommended denia			
	the proposed zone change.	ZC-02-2004	
Initiated b	y:	Staff source:	
Pedro Casta	aneda	Keith Selman, Planning Director	
		Cynthia Collazo, Asst. City Manager	
Prior actio	n: None		

BACKGROUND

Data.

Council District: IV - John Amaya

Proposed use: Residential (a four unit apartment complex).

Site: The site is currently vacant.

Surrounding land uses: Milton Elementary School lies to the west and several condominium and apartment complexes lay to the north of the site. The area east and south of the site is occupied by single and multifamily residential uses, Quality Air Conditioning Service, the Coin Laundry mat, Circle K, and Arkansas Ave.

Comprehensive Plan: The Future Land Use Map recognizes this area as Low Density Residential.

Transportation Plan: The Long Range Thoroughfare Plan does not recognize either Ash St. or Texas Ave.

Petition:In Favor: 0Opposed: 4Letters sent to surrounding property owners: 15In Favor: 0Opposed: 1

STAFF COMMENTS

The zone change is inappropriate at this site. Though several legal nonconforming apartment complexes currently exist in the surrounding area, the change is inconsistent with the Comprehensive Plan's Low Density Residential designation. The change also contributes to the creation of an isolated zoning district in an area which, to date, exhibits well defined zoning boundaries, with little or no intrusion of incongruous zoning.

P&Z COMMISSION RECOMMENDATION:	STAFF RECOMMENDATION:
The P & Z Commission, in a 6 to 3 vote, recommended de-	Staff does not support the proposed zone
nial of the zone change.	change.

IMPACT ANALYSIS

R-2 (Multi-Family Residential District): The purpose of the R-2 is to provide an area for higher density residential uses and those public and semi-public uses normally considered an integral part of the neighborhood they serve.

Is this change contrary to the established land use pattern?

No, the surrounding land use pattern currently exhibits several legal nonconforming apartment complexes.

Would this change create an isolated zoning district unrelated to surrounding districts? Yes, the site is completely surrounded by R-1 zoning.

Will change adversely influence living conditions in the neighborhood?

The proposed use would generate significantly more trips than would be generated by a single family dwelling.

Are there substantial reasons why the property can not be used in accord with existing zoning? No, the existing zoning provides for existing uses are compatible with the surrounding area.

CITY OF LAREDO ORDINANCE NO. 2004-O-

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING THE WEST 46.30 FEET OF LOT 8, BLOCK 1536, EASTERN DIVISION, LOCATED AT 2602 ASH ST., FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-2 (MULTIFAMILY RESIDENTIAL DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of the west 46.30 feet of Lot 8, Block 1536, Eastern Division, located at 2602 Ash St., from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended denial of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

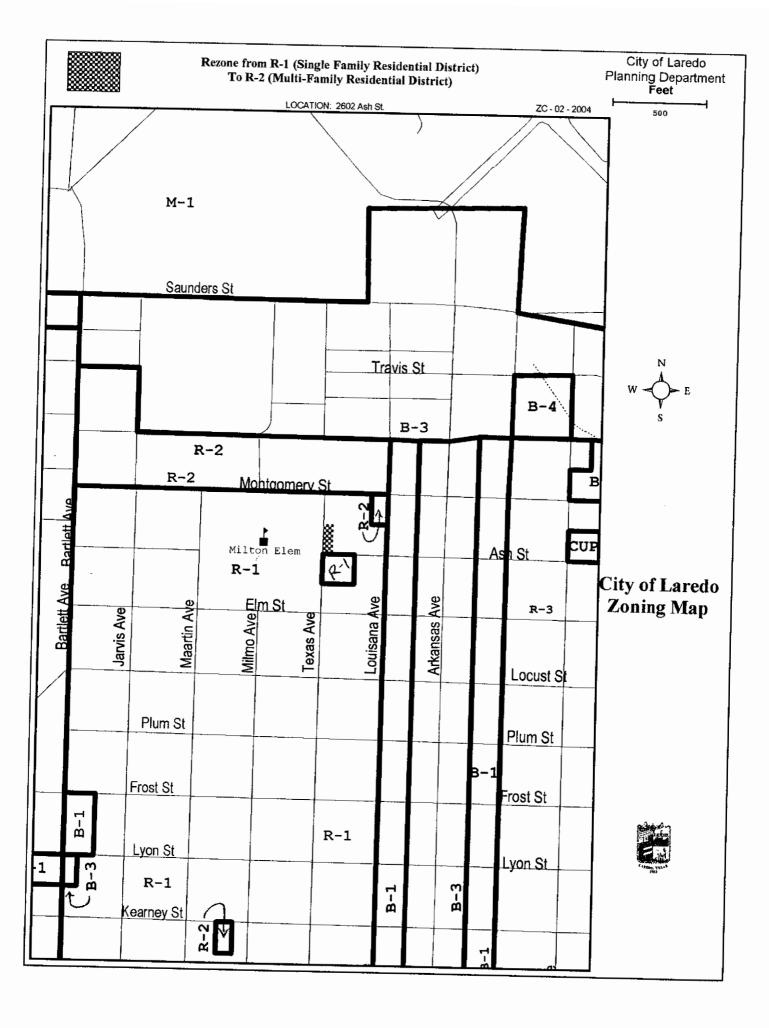
WHEREAS, the City Council has held a public hearing on March 29, 2004, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning the west 46.30 feet of Lot 8, Block 1536, Eastern Division, located at 2602 Ash St., from R-1 (Single Family Residential District) to R-2 (Multi-Family Residential District).

Section 2: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.				
Section 3: This ordinance shall become effective as and from the date of publication specified in Section 2.				
PPROVED BY THE MAYOR ON THIS THE 2004.				
ELIZABETH G. FLORES MAYOR				



PROPLINE 46.38

EXISTING

REZONING SITE PLAN

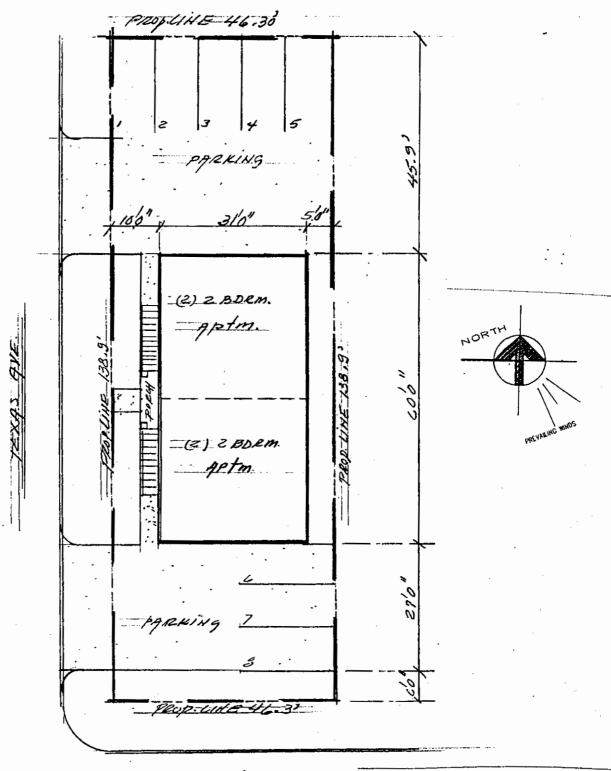
SC: 1" = 20' 0"

LEGAL DESCRIPTION

LOT 8 BLOCK 1536

2602 ASH ST.

EASTERN DIVISION



PROPOSED

REZONING SITE PLAN

SC: 1" = 20' 0"

LEGAL DESCRIPTION

LOT 8 BLOCK 1536

2602 ASH ST:
EASTERN DIVISION



ZC-02-04

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Date:	SUBJECT: PUBLIC HEARING AND INRODUCTION OF AN ORDINANCE			
	Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance			
03/29/04	3/29/04 a Conditional Use Permit for general automotive repair on Lots 19 and 20, Block 30			
	Hermosa, Unit II, located approximately at the 5400 block of McPherson Road; providing			
for publication and effective date. The Planr		he Planning and Zoning Comn	ining and Zoning Commission has recom-	
	mended approval of the proposed Conditional Use Pe		ZC-05-2004	
Initiated b	oy:	Staff source:		
Diversified Investors of Laredo		Keith Selman, Plant	Keith Selman, Planning Director	
		Cynthia Collazo, As	sst. City Manager	
Prior action	on: None			

BACKGROUND

Council District: V – Eliseo Valdez, Jr.

Proposed use: Commercial. (General automotive repair) In general, both light and general automotive repair services will be conducted by 6 employees, Monday – Friday, between the hours of 8:00 am to 7:00 pm and Saturdays, from 8:00 am to 4:00 pm. Offered services include engine tune-up, state inspection, transmission service, etc. See attached Exhibit B for complete narrative regarding the proposed business, All Tune and Lube.

Site: The site is currently vacant. The site is zoned B-3 (Community Business District).

Surrounding land uses: The areas west and south are characterized by commercial and residential uses (Mission Viejo condominiums) along McPherson Road including EZ Pawn, Auto Zone, Postal Boxes and More, Auto Alarms, Cadbeck Staffing, Rodriguez Insurance, Triple J Express Lube, and a Medical Plaza under construction. The area to the east is dominated by single family residences.

Comprehensive Plan: The Future Land Use Map recognizes this area as Retail/Office.

Transportation Plan: The Long Range Thoroughfare Plan identifies McPherson Rd. as a Major Collector.

Letters sent to surrounding property owners: 81 In Favor: 0 Opposed: 3

STAFF COMMENTS

Staff supports the issuance of the proposed Conditional Use permit. General automotive repairs including transmission repair, exhaust system replacement etc. and require B-4 designation, rather than the B-1 required for light automotive repairs. While a B-4 designation is unwarranted at this location, conditional use status is appropriate as the proposed use "will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed as allowable in the underlying zoning districts." Though the site directly abuts single family residences to the east, they will be adequately buffered from the proposed use by the imposition of the following Staff recommended conditions:

1. The proposed use and all related activities, including parking, are prohibited on the easternmost 115 feet of the site.

P&Z COMMISSION RECOMMENDATION:	STAFF RECOMMENDATION:
The P & Z Commission, in a 9 to 0 vote, recommended	Staff supports the proposed Conditional
approval of the Conditional Use Permit.	Use Permit.

STAFF COMMENTS CONTINUED:

- 2. A 7' foot opaque fence shall be required at the easternmost boundary of the site, as well as, another 7' foot opaque fence, spanning the entire site, 115' feet from the easternmost boundary, which may be removed if a legal B-3 use occupies the easternmost 115' of the site.
- 3. Canopy trees shall be placed at 15' foot intervals at the easternmost boundary.
- 4. Signage limited to that which is allowed in a B-3 district.
- 5. The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
- 6. All relevant City of Laredo development requirements shall apply.
- 7. The Conditional Use Permit shall be issued to Diversified Investors of Laredo and is nontransferable.
- 8. All general automotive repairs as permitted by the B-4 designation are allowed including those specifically mentioned on attached Exhibit B.

CITY OF LAREDO ORDINANCE NO. 2004-O-

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR GENERAL AUTOMOTIVE REPAIR ON LOTS 19 AND 20, BLOCK 30, VISTA HERMOSA, UNIT II, LOCATED APPROXIMATELY AT THE 5400 BLOCK OF MCPHERSON ROAD; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for general automotive repair on Lots 19 and 20, Block 30, Vista Hermosa, Unit II, located approximately at the 5400 block of McPherson Road; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended approval of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on March 29, 2004, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo.

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence.

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for general automotive repair on Lots 19 and 20, Block 30, Vista Hermosa, Unit II, located approximately at the 5400 block of McPherson Road.

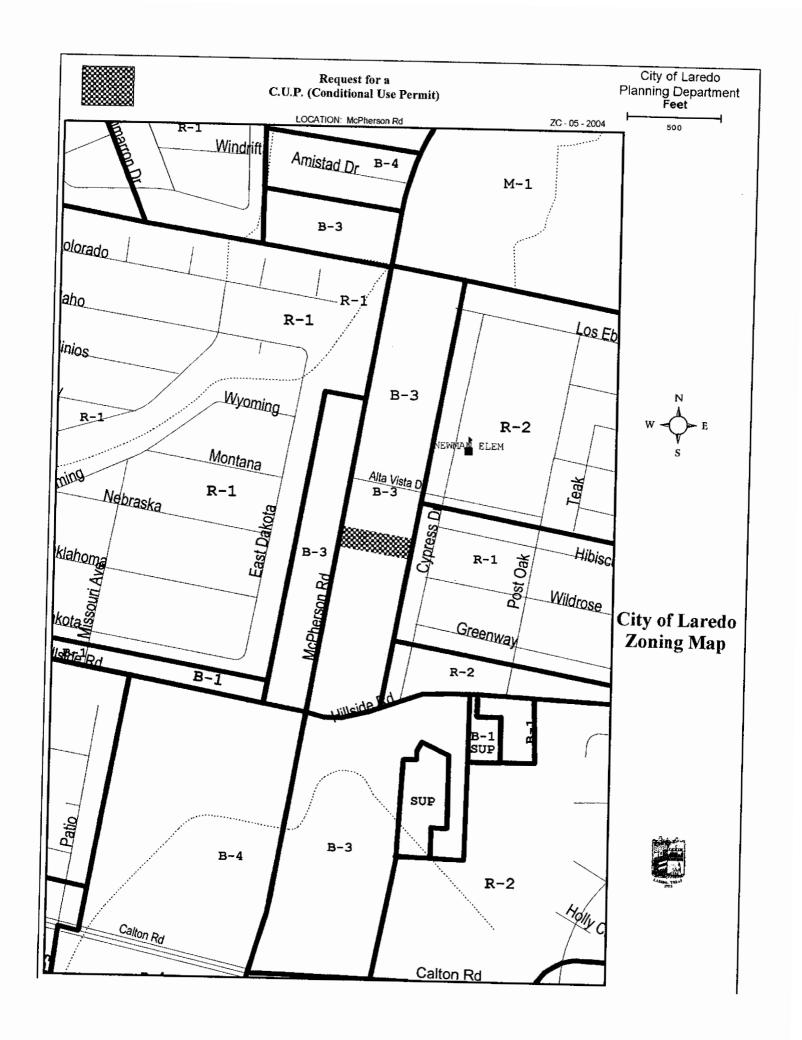
<u>Section 2</u>: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

- 1. The proposed use and all related activities, including parking, are prohibited on the east-ernmost 115 feet of the site.
- 2. A 7' foot opaque fence shall be required at the easternmost boundary of the site, as well as, another 7' foot opaque fence, spanning the entire site, 115' feet from the easternmost boundary, which may be removed if a legal B-3 use occupies the easternmost 115' of the site.
- 3. Canopy trees shall be placed at 15' foot intervals at the easternmost boundary.
- 4. Signage limited to that which is allowed in a B-3 district.
- 5. The C.U.P. is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
- 6. All relevant City of Laredo development requirements shall apply.
- 7. The Conditional Use Permit shall be issued to Diversified Investors of Laredo and is nontransferable.
- 8. All general automotive repairs as permitted by the B-4 designation are allowed including those specifically mentioned on attached Exhibit B.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

<u>Section 4</u>: This ordinance shall become effective as and from the date of publication specified in Section 3.

PASSED BY THE CITY COUNCIL AN DAY OF	ID APPROVED BY THE MAYOR ON THIS THE, 2004.
	ELIZABETH G. FLORES MAYOR
ATTEST:	
GUSTAVO GUEVARA, JR. CITY SECRETARY	
APPROVED AS TO FORM: JAIME FLORES CITY ATTORNEY	
LAMMA -	
BY: ANTHONY C. MCGETTRICK	
ASSISTANT CITY ATTORNEY	



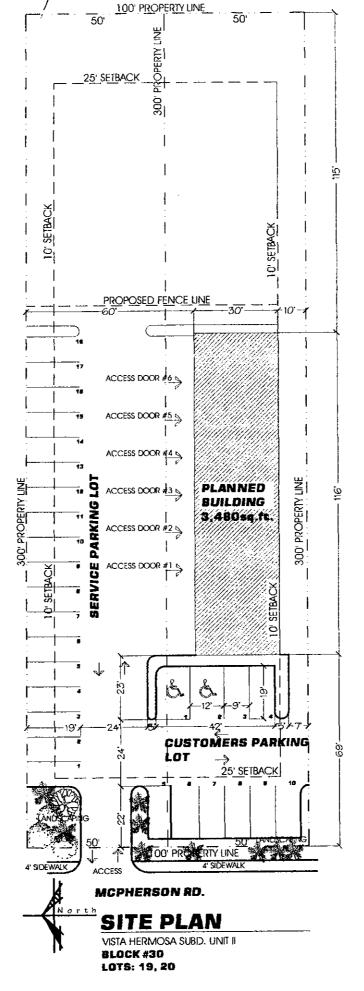


Exhibit A

PORRAS ENGINEERING COMPANY

CONSULTING ENGINEERS ~ SURVEYORS P.O. Box 1670

> Laredo, Tx. 78044 (956) 724-3097 * Fax (956) 724-9208 E-Mail – porras@netscorp.net

January 29, 2004

City of Laredo Planning and Zoning Department Laredo, Texas 78040

Attn: Planning & Zoning Commissioners

Ref: Narrative for a CUP Application at Vista Hermosa II Lots 19 & 20, Block 30

At this time we would like to ask for a CUP for Lots 19 & 20, Block 30, Vista Hermosa Unit II, and present a narrative of the proposed business, called <u>ALL TUNE and LUBE</u>.

The services will be conducted by a total of 6 employees, and the operation hours will be from 8:00 a.m. to 7:00 p.m., Monday – Friday and 8:00 a.m. to 4:00 p.m., on Saturday. The services that will be conducted include the following:

- 1. Engine Tune-Up,
- 2. Emission Inspection
- 3. Fuel Injection & Carburation Service
- 4. State Inspection
- 5. Brake Service
- 6. Alignment
- 7. Air Conditioning
- 8. Transmission Service
- 9. Tire rotation
- 10. Diagnostic
- 11. Ride Control, Shocks, Struts
- 12. Exhaust Systems Replacement
- 13. Engine Oil and Filter Change, including Lubrication and Vital Fluid Checks

In general, this is the extent of the operations of ALL TUNE and LUBE should there be any questions, please call the phone number above and ask for Paul R. Porras and, thank you for your time on this matter.

Sincerely,

Porras Engineering Company

Janal R. Genar

Paul R. Porras



ZC-05-04

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	COUNCIL COM	WICH CALLON	
Date:	SUBJECT: PUBLIC HEARING AND Amending the Zoning Ordinance (Map)		
03/29/04	further described by metes and bounds i	n attached Exhibit "A"	, located east of Havanna
	Dr., from AG (Agricultural District) to I viding for publication and effective date		
	ommended approval of the proposed zor	ne change.	ZC-08-2004
Initiated b		Staff source:	Planning Director
San Isigio	Southeast, Ltd.		to, Asst. City Manager
Prior actio	n: None		
BACKGR	OUND		
Council	District: VI- Gene Belmares		
Propose	d use: Residential.		
Tropos	a distribution		
Site: The	ne site is currently vacant and undeveloped	ł.	
Plat, Sar	nding land uses: The areas west of the sit a Isidro Taos and Amazonia Subdivisions, a areas north, east and south are large vaca	mainly devoted to sing	gle family residential uses;
Compre	hensive Plan: The Future Land Use Map	recognizes this area as	s Low Density Residential.
Transpo Collecto	ortation Plan: The Long Range Thorough	nfare Plan identifies Int	ternational Blvd. as a Majo
Letters	sent to surrounding property owners: 3	In Favor: 0	Opposed: 0
	OMMENTS		
tent wit	posed zone change is appropriate at this look this area's approved master plan, the Coand the surrounding land uses and zoning	mprehensive Plan's Lo	
			·

P&Z COMMISSION RECOMMENDATION:

The P & Z Commission, in a 9 to 0 vote, recommended approval of the zone change.

STAFF RECOMMENDATION:

Staff supports the proposed zone change.

IMPACT ANALYSIS R-1A (Single Family Reduced Area District): The purpose of the R-1A District is to provide for residential uses and those public uses normally considered an integral part of the residential neighborhood they serve. In addition, this district provides for the subdivision of single family residential lots with a minimum of 4500 square feet. Is this change contrary to the established land use pattern? The only established land use pattern in the area is to the west of the site, and consists of mainly single family residences. Would this change create an isolated zoning district unrelated to surrounding districts? No, there are similarly zoned areas in the vicinity. Will change adversely influence living conditions in the neighborhood? No. Are there substantial reasons why the property can not be used in accord with existing zoning? Yes, the property is zoned agriculturally which allows only a limited number of agricultural uses.

CITY OF LAREDO ORDINANCE NO. 2004-O-

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY REZONING 21.88 ACRES, AS FURTHER DESCRIBED BY METES AND BOUNDS IN ATTACHED EXHIBIT "A", LOCATED EAST OF HAVANNA DR., FROM AG (AGRICULTURAL DISTRICT) TO R-1A (SINGLE FAMILY REDUCED AREA DISTRICT); PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a zone change has been requested by the owners of 21.88 acres, as further described by metes and bounds in attached Exhibit "A", located east of Havanna Dr., from AG (Agricultural District) to R-1A (Single Family Reduced Area District); and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004, and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended approval of the proposed zone change; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

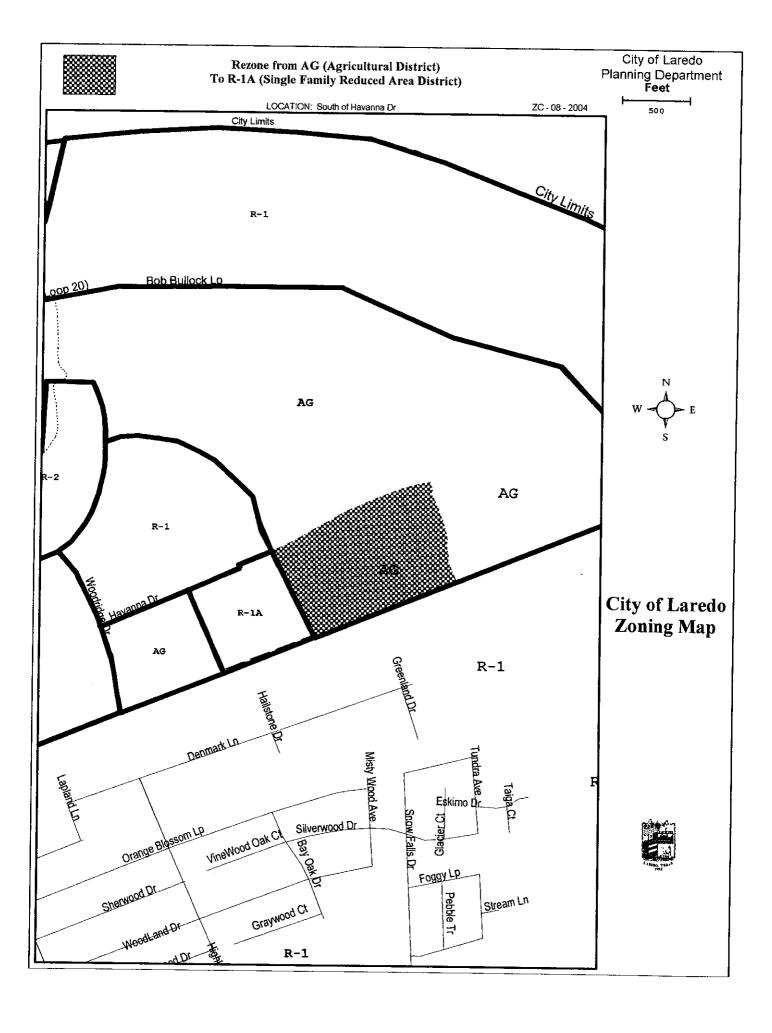
WHEREAS, the City Council has held a public hearing on March 29, 2004, on the request and finds the zone change appropriate and consistent with the General Plan of the City of Laredo; and,

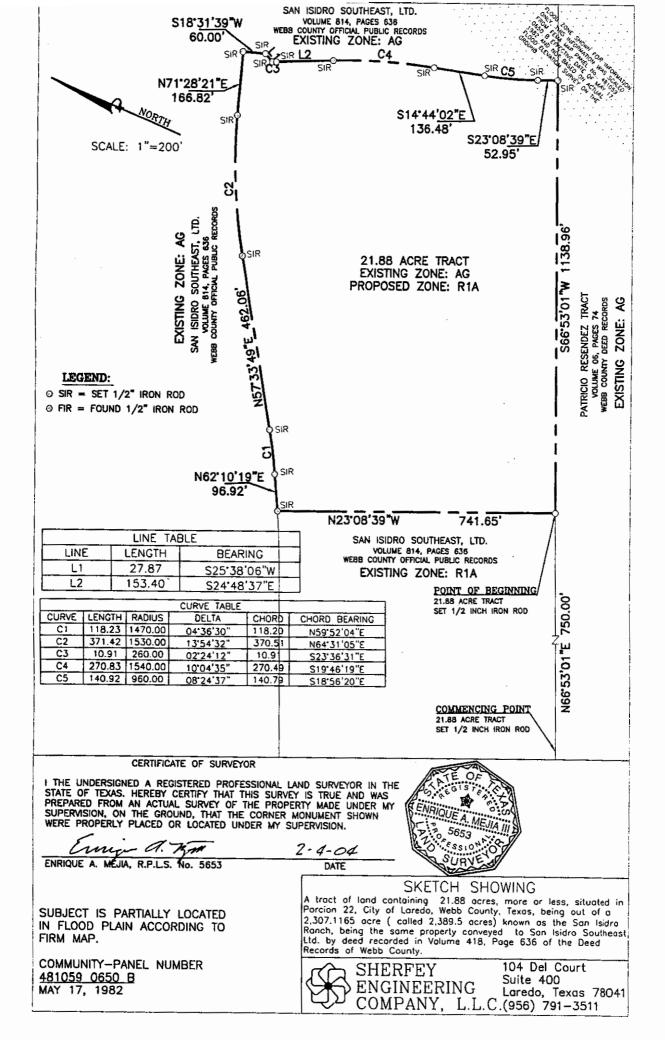
WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by rezoning 21.88 acres, as further described by metes and bounds in attached Exhibit "A", located east of Havanna Dr., from AG (Agricultural District) to R-1A (Single Family Reduced Area District).

Section 2: This ordinance shall be put (D) of the Charter of the City of Laredo.	ablished in a manner provided by Section 2.09
Section 3: This ordinance shall become specified in Section 2.	me effective as and from the date of publication
PASSED BY THE CITY COUNCIL AND A DAY OF	APPROVED BY THE MAYOR ON THIS THE 2004.
	ELIZABETH G. FLORES MAYOR
ATTEST:	
GUSTAVO GUEVARA, JR. CITY SECRETARY	
APPROVED AS TO FORM: JAIME FLORES	
CITY ATTORNEY	
BY: ANTHONY C. MCGETTRICK ASSISTANT CITY ATTORNEY	





METES AND BOUNDS DESCRIPTION 21.88 Acre Tract

A tract of land containing 21.88 acres, more or less, situated in Porcion 22, City of Laredo, Webb County, Texas, being out of a 2,307.1165 acre (called 2,389.5 acres) known as the San Isidro Ranch, being the same property conveyed to San Isidro Southeast, Ltd. by deed recorded in Volume 418, Page 636 of the Deed Records of Webb County, said 21.88 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2 inch iron rod at the southeast corner of Lot 1, Block 1 as recorded in Volume 23, Page 58, U.I.S.D. San Isidro School Plat, Webb County Map Records;

THENCE, N 66°53'01" E, along the south line of said San Isidro Southeast, Ltd. same being the north line of the Patricio Resendez Tract, as recorded in Volume 6, Page 74, Webb County Deed Records, a distance of 750.00 feet to a set 1/2 inch iron rod, the POINT OF BEGINNING, most southwesterly corner of the herein described tract;

THENCE, N 23°08'39" W, leaving the south line of said San Isidro Southeast, Ltd. a distance of 741.65 feet to a set 1/2 inch iron rod, the most westerly corner of the herein described tract;

THENCE, N 62°10'19" E, a distance of 96.92 feet to a set 1/2 inch iron rod, a point of curve to the left with a radius of 1470.00 feet, a delta of 04°36'30", a chord and chord bearing of 118.20 feet and N 59°52'04" E, an exterior comer of the herein described tract;

THENCE, along said arc to the left a distance of 118.23 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, N 57°33'49" E, a distance 462.06 feet to a set 1/2 inch iron rod, a point of curve to the right with a radius of 1,530.00 feet, a delta of 13°54'32", a chord and chord bearing of 370.51 feet and N 64°31'05" E, an exterior corner of the herein described tract;

THENCE, N 71°28'21" E, a distance of 166.82 feet to a set 1/2 inch iron rod, the northeast corner of the herein described tract;

THENCE, S 18°31'39" W, a distance of 60.00 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, S 25°38'06" W, a distance of 27.87 feet to a set 1/2 inch iron rod to a point of curve with a radius of 260.00 feet, a delta of 02°24'12", a chord and chord bearing of 10.91 feet and S 23°36'31" E, an interior corner of the herein described tract;

THENCE, along said are a distance of 10.91 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, S 24°48'37" E, a distance of 153.40 feet to a set 1/2 inch iron rod, a point of curve to the right with a radius of 1,540.00 feet, a delta of 10°04'35", a chord and chord bearing of 270.49 feet and S 19°46'19" E, an exterior corner of the herein described tract;

THENCE, along said are a distance of 270.83 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, S 14°44'02" E, a distance of 136.48 feet to a set 1/2 inch iron rod, a point of curve to the left with a radius of 960.00 feet, a delta of 08°24'37", a chord and chord bearing of 140.79 feet and S 18°56'20" E, an exterior corner of the herein described tract;

Exhibit "A"

THENCE, along said arc to the left a distance of 140.92 feet to a set 1/2 inch iron rod, an exterior corner of the herein described tract;

THENCE, S 23°08'39" E, a distance of 52.95 feet to a set 1/2 inch iron rod, the southeast corner of the herein described tract;

THENCE, S 66°53'01" W, a distance of 1,138.96 feet to return to and close at the POINT OF BEGINNING, containing 21.88 acres of land.

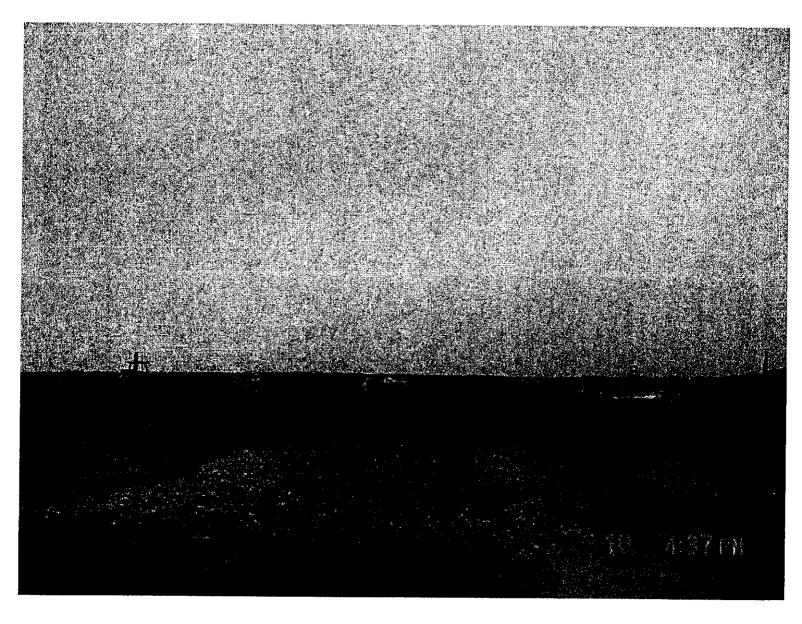
Basis of Bearing: Woodridge Dedication Plat, Volume 12, Page 64, Webb County Map Records.

This metes and bounds description and accompanying survey map is based on a survey made on the ground by employees of Sherfey Engineering Company who were working under my supervision.

Enrique A. Mejia III

Registered Professional Land Surveyor #5653

Exhibit "A"



ZC-08-04

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Date: SUBJECT: PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave.; providing for publication and effective date. The Planning and Zoning Commission has recommended denial of the proposed Conditional Use Permit. ZC-85b-2003

Initiated by:
Alberto Garcia
Staff source:
Keith Selman, Planning Director
Cynthia Collazo, Asst. City Manager

Prior action: On 11/20/04, the Planning and Zoning Commission concurred with Staff's position and recommended denial of this applicant's B-1 to B-3 zone change request. On 1/12/04, Council postponed the item, and suggested the applicant return to the Commission in pursuit of a Conditional Use Permit for the proposed use, a used car lot. On 02/19/04, the Commission recommended denial of the requested CUP.

BACKGROUND

Council District: VIII - Juan Ramirez

Proposed use: Commercial (a used car lot)

Site: The site is currently occupied by a small office and parking area (recently paved). [Existing violations include: an illegal water connection, illegal electrical connection, plumbing work done by unlicensed plumber (citation issued to plumber), no sanitary facilities – O-Boy on premises and noncompliant sign (warning issued)]. Applicant asserts all violation committed by the current lease holder.

Surrounding land uses: The land south and southeast of the site is devoted to light commercial and residential type uses including the Laredo Import Company, the Back Porch Postal Center, a Texaco gas station, El Taco Rico, Castellano's used cars, an auto trim shop, the Laredo Boys Club, and a few single family residences. West of the site is I.H. 35. IBC parking, Miriam's Grocery, an auto trim shop and several single and multifamily residences lie to the east while Jamalk Used Cars, Ronald Ramos Law Office, Louis LaVaude, a billiards supply business, and several more single family residences lie to the north of the site.

Comprehensive Plan: The Future Land Use Map recognizes this area as Retail/Office.

Transportation Plan: San Dario is identified by the Long Range Thoroughfare Plan as a Freeway and a Truck Route.

CUP letters sent to surrounding property owners: 18 In Favor: 1 Opposed: 0 Zone change letters sent to surrounding property owners: 18 In Favor: 1 Opposed: 0

STAFF COMMENTS

Staff does not support the issuance of the Conditional Use Permit. Laredo Land Development Code Section 24.94.5 B stipulates "The site of the proposed conditional use or any improvements thereon are not in violation of any local, state, or federal law (other than zoning violation)." Numerous construction code violations exist, thus requiring Staff's nonsupport of the item. The following conditions are recommended in the event the item is approved:

- 1. The entire lot shall be paved except for the areas landscaped.
- 2. Seventy-five (75) percent of the buildings shall be composed of masonry, glass, or brick.
- 3. Mechanical, body repair, or auto painting shall not be allowed. Comments continued....

P&Z COMMISSION RECOMMENDATION:

The P & Z Commission, in a 6 to 1 vote, recommended denial of the conditional use permit.

STAFF RECOMMENDATION:

Staff <u>does not support</u> the proposed Conditional Use Permit.

IMPACT ANALYSIS

Staff recommended conditions continued:

- 4. Heavy equipment or large trucks shall not be allowed.
- 5. At least ten (10) percent of the lot area shall be devoted to landscaping, all which shall be located abutting the westernmost boundary of the site. All property shall be kept in an attractive fashion with landscaping properly maintained. All trash, garbage and other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
- 6. The applicant shall provide a seven (7) foot opaque fence where the site directly abuts any residential zone or use.
- 7. All lighting shall face inward and away from the surrounding properties.
- 8. Two (2) spaces shall be provided and reserved for customers.
- 9. The applicant shall provide and maintain ten (3) trees and fourteen (14) shrubs located along the western-most boundary of the site.
- 10 Signage shall be limited to that which is allowed in a B-1 district.
- 11. The permit is issued to Alberto Garcia and is nontransferable.

CITY OF LAREDO ORDINANCE NO. 2004-O-

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR A USED CAR LOT ON LOT 4, BLOCK 236, WESTERN DIVISION, LOCATED AT 1309 SAN DARIO AVE.; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, a request has been received for the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave.; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on February 19, 2004; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended denial of the Conditional Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on March 29, 2004, on the request and finds the Conditional Use Permit amendment appropriate and consistent with the General Plan of the City of Laredo.

WHEREAS, all conditions imposed by the Conditional Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Conditional Use Permit may commence.

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Conditional Use Permit for a used car lot on Lot 4, Block 236, Western Division, located at 1309 San Dario Ave..

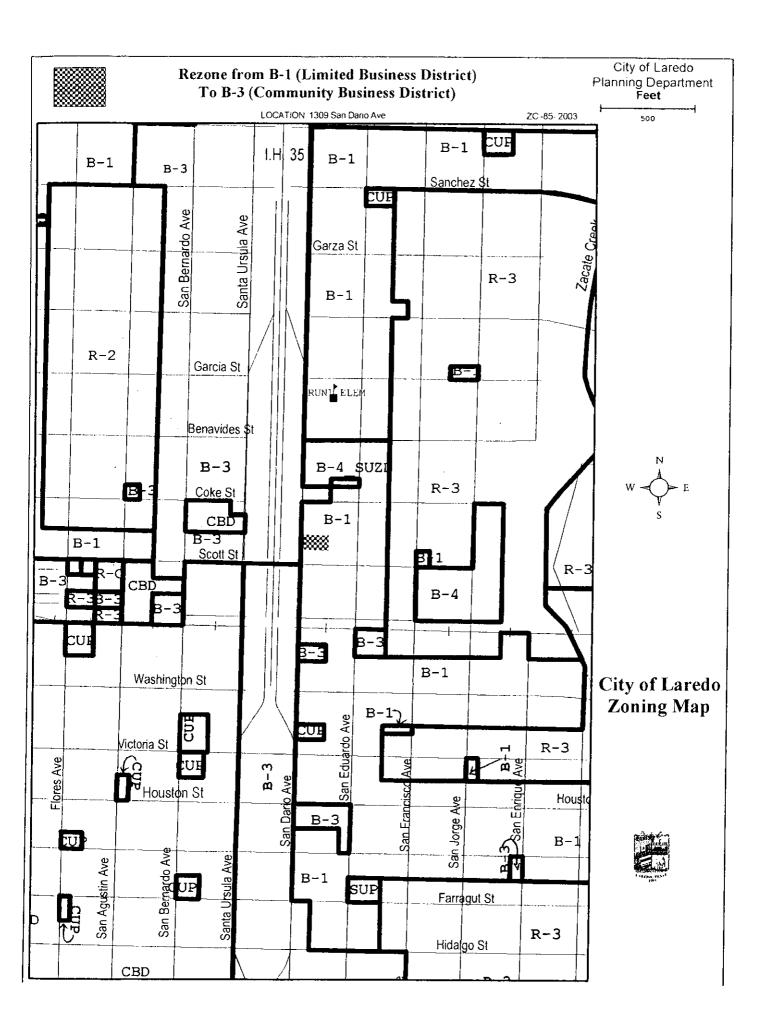
<u>Section 2</u>: The Conditional Use Permit is further restricted to the following provision herewith adopted by the City Council:

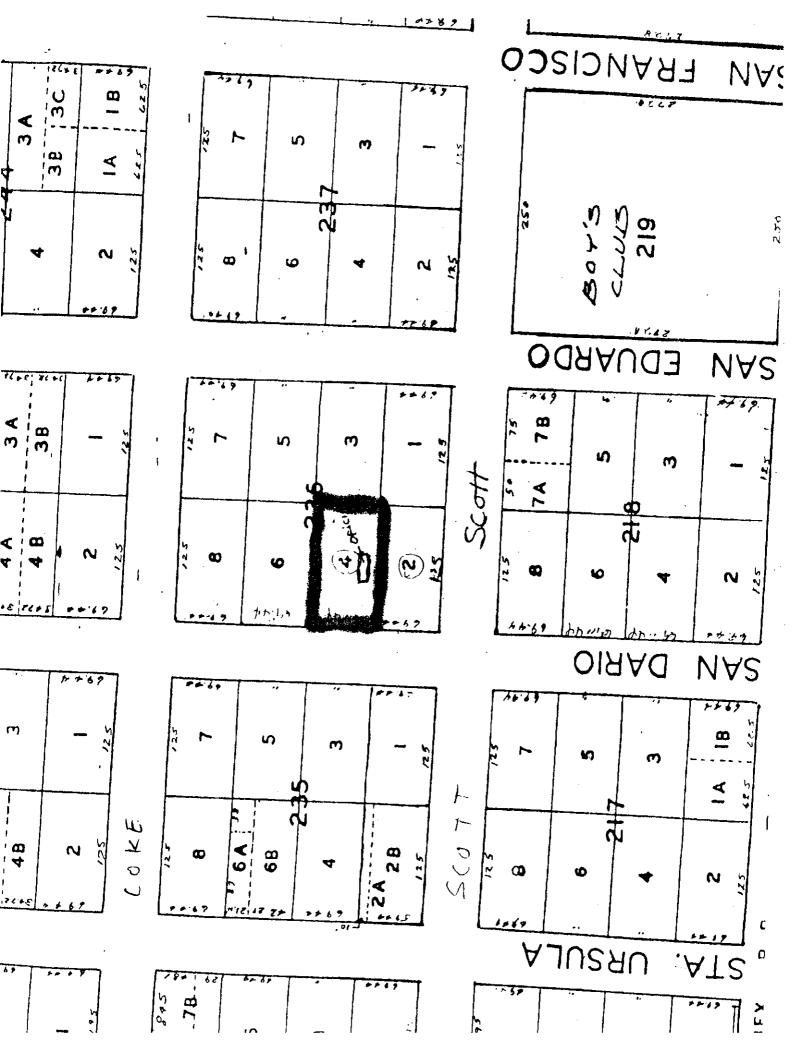
- 1. The entire lot shall be paved except for the areas landscaped.
- 2. Seventy-five (75) percent of the buildings shall be composed of masonry, glass, or brick.
- 3. Mechanical, body repair, or auto painting shall not be allowed.
- 4. Heavy equipment or large trucks shall not be allowed.
- 5. At least ten (10) percent of the lot area shall be devoted to landscaping, all which shall be located abutting the westernmost boundary of the site. All property shall be kept in an attractive fashion with landscaping properly maintained. All trash, garbage and other waste shall be kept in sanitary containers, which at all times must be concealed from public view.
- 6. The applicant shall provide a seven (7) foot opaque fence where the site directly abuts any residential zone or use.
- 7. All lighting shall face inward and away from the surrounding properties.
- 8. Two (2) spaces shall be provided and reserved for customers.
- 9. The applicant shall provide and maintain ten (3) trees and fourteen (14) shrubs located along the western-most boundary of the site.
- 10 Signage shall be limited to that which is allowed in a B-1 district.
- 11. The permit is issued to Alberto Garcia and is nontransferable.

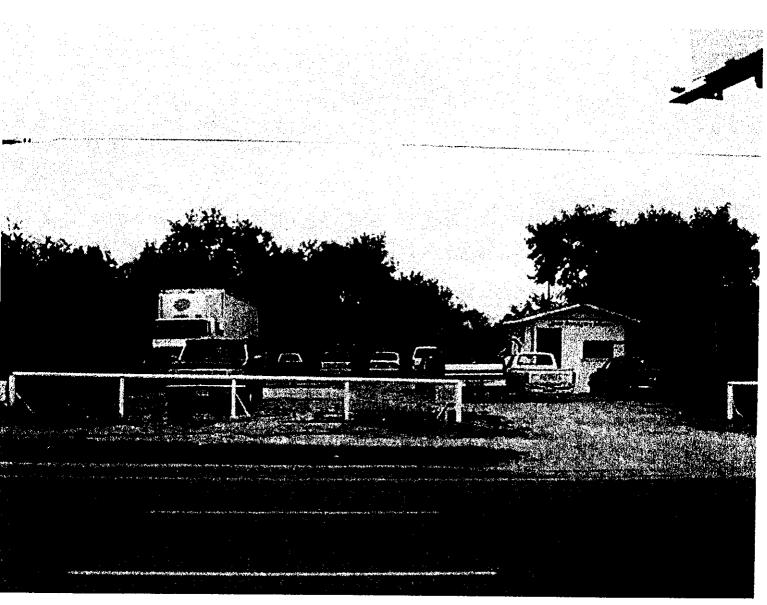
Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

<u>Section 4</u>: This ordinance shall become effective as and from the date of publication specified in Section 3.

PASSED BY THE CITY COUNCIL AND DAY OF	O APPROVED BY THE MAYOR ON THIS THE , 2004.
	ELIZABETH G. FLORES MAYOR
ATTEST:	
GUSTAVO GUEVARA, JR. CITY SECRETARY	
APPROVED AS TO FORM: JAIME FLORES CITY ATTORNEY	
BY ANTHONY C. MCGETTRICK ASSISTANT CITY ATTORNEY	







ZC-85-03

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DATE: 03/29/04	Amending Laredo Land Developm allowing, regulating and defining a certain zoning districts; providing	AND INTRODUCION OF AN ORDINANCE nent Code, Sections 24.63.2, 24.65.14 and Appendix A, by nationalization/"nacionalizacion" of vehicles enterprises in for publication and effective date. The Planning and Zoning proval of the proposed ordinance amendment. LLDC(PZ)c-04d-2003
INITIATE	D BY:	STAFF SOURCE:
Staff		Keith Selman, Planning Director
		Cynthia Collazo, Asst. City Manager
PRIOR AC	CTION: None.	

STAFF COMMENTS

Staff proposes the revision of the Laredo Land Development Code, Sections 24.63.2, 24.65.14 and Appendix A, by allowing, regulating and defining nationalization/"nacionalizacion" of vehicles businesses in certain zoning districts in the following manner:

- 2. <u>Laredo Land Development Code</u>, <u>Section 24.65.14</u>, <u>entitled B-4 (Highway Commercial District)</u> Nationalization'"Nacionalizacion" of Vehicles Enterprises found to be in violation of the proposed ordinance shall be required to come into compliance with this ordinance one (1) year from May 1, 2004.
- 3. <u>Laredo Land Development Code</u>, <u>Appendix A</u>, <u>entitled Definitions</u>
 The following definition be added to Appendix A:

Nationalization/"Nacionalizacion" of Vehicles Enterprises – shall mean a business which is involved in facilitating the necessary documentation required of owners, for the export from the United States and import to Mexico and other countries in Latin America, of vehicles, new and used; and/or a business which must comply with Title 19, Part 192 of the Code of Federal Regulations.

P&Z COMMISSION RECOMMENDATION:

The P & Z Commission, in a 9 to 0 vote, recommended approval of the ordinance amendment.

STAFF RECOMMENDATION:

Staff <u>supports</u> the proposed amendment.

CITY OF LAREDO ORDINANCE NO. 2004-O-

AMENDING LAREDO LAND DEVELOPMENT CODE, SECTIONS 24.63.2, 24.65.14 AND APPENDIX A, BY ALLOWING, REGULATING AND DEFINING NATIONALIZATION/"NACIONALIZACION" OF VEHICLES ENTERPRISES IN CERTAIN ZONING DISTRICTS, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Laredo Land Development Code regulates land uses within the corporate limits of the City of Laredo; and,

WHEREAS, Laredo Land Development Code, Sections 24.63.2 or 24.65.14 do not identify or regulate nationalization/"nacionalizacion" of vehicles enterprises as allowed uses; and,

WHEREAS, Appendix A of Laredo Land Development Code, does not define nationalization of vehicles enterprises; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing held on February 19, 2004, has recommended **approval** of the ordinance; and,

WHEREAS, notice of the ordinance was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on March 29, 2004 and found the proposed ordinance appropriate and consistent with the General Plan of the City of Laredo.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Section 24.63.2 of the <u>Laredo Land Development Code</u> is hereby amended to read as follows:

Section 24.63.2 Permitted Uses

		Ř	Residential Districts			istri	cts		PERSONAL AND BUSINESS SERVICES	Non-Residential Districts	den	tial	Disti	ricts			
Ð∀	R-1	Ar-A	R-1-MH	R-3	RSM	RS	O-8	USE	Uses	Notes	8-1R	CBD	8-3	1-M	Z-W	MXD	
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	\dashv	\dashv	_		_	\dashv	_		Nationalization/Nacionalizacion" of Vehicles Enterprise secti	see section 24.65.14				×	×	×	\.\a
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Page: IV-14	\geq	4							City	City of Laredo, Texas	SE						

Section 2: Section 24.65.14 of the <u>Laredo Land Development Code</u> is hereby amended to read as follows:

(17) Any nationalization/"nacionalizacion" of vehicles enterprise must be located in a B-4, M-1 M-2 or MXD district, and it is a violation of this subsection for any such enterprise to be located in other than one of those four districts; provided however, any such enterprise operating in a zoning district other than a B-4, M-1, M-2, or MXD prior to May 1, 2004, will be permitted to continue to operate for a period not to exceed one (1) year from that date.

Section 3: Appendix A of the <u>Laredo Land Development Code</u> is hereby amended such that the following definition is added:

Nationalization/"Nacionalizacion" of Vehicles Enterprise—shall mean a business which is involved in facilitating the necessary documentation required of owners, for the export from the United States and import to Mexico and other countries in Latin America, of vehicles, new and used; and/or a business which must comply with Title 19, Part 192 of the Code of Federal Regulations.

Section 4: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

<u>Section 5</u> This ordinance shall become effective as and from the date of publication specified in Section 4.

Section 6: Severability

If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of another portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 7: Open Meetings

The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the city hall of the City for the time required by law preceding this meeting, as required by the Open Meeting Law, Chapter 551, Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter approves and confirms such written notice and the contents and posting hereof.

PASSED BY THE CITY COUNCIL AND DAY OF	APPROVED BY THE MAYOR ON THIS THE, 2004.
	ELIZABETH G. FLORES
	MAYOR
ATTEST:	
GUSTAVO GUEVARA, JR. CITY SECRETARY	
APPROVED AS TO FORM: JAIME FLORES CITY ATTORNEY	
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BY: ANTHONY C. MCGETTRICK	
ASSISTANT CITY ATTORNEY	

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DATE:	SUBJECT: Public Hearing	ng and Introductory Ordinance				
March 29, 2004	ENTERPRISES INC CONSTRUCT, MA CONTAINER REFUL THE CITY OF LAR CONDITIONS, OBL UNDER WHICH S PROVIDING INDE AUTHORITY TO INCREASES RESUL WHICH ARE PASSE INCREASED SERVI	THE GRANTING TO BATISTA ROMAN C., A NON-EXCLUSIVE FRANCHISE TO INTAIN AND OPERATE A COMMERCIAL SE GATHERING AND DISPOSING SERVICE IN EDO, TEXAS AND PROVIDING THE TERMS, LIGATIONS, AND LIMITATIONS UPON AND SUCH FRANCHISE SHALL BE EXERCISED; EMNITY TO THE CITY; CITY RETAINS REGULATE RATES EXCEPT FOR RATE L'TING FROM INCREASED LANDFILL FEES DON TO THE CUSTOMER; PROVIDING FOR ICES RATES; PROVIDING FOR FRANCHISE PROVIDING FOR SEVERABILITY.				
INITIATED BY:						
Manuel Batista	el Batista Oscar J. Medina ent – Batista Roman Enterprises, Director – Solid Waste Department					
Inc.	a Roman Enterprises,	Director – Solid Waste Department				
PREVIOUS COUNCIL ACTION:						
None						
BACKGROUND:						
operating a comme has a cleaning se	nercial container refuse gath	franchise agreement from the city for the purpose of ering and disposal service. The applicant currently ess as Star Cleaning and wishes to expand to areas				
FINANCIAL IMPA	FINANCIAL IMPACT:					
The franchisee will pay 4% of gross receipts after which the fee is subject to review every five years pursuant to Section 4. Paragraph B of the ordinance.						
COMMITTEE RE	COMMENDATION:	STAFF RECOMMENDATION:				
None		That this ordinance be introduced.				

ORDINANCE NO. 2004-0-XXX

AUTHORIZING THE GRANTING TO BATISTA ROMAN ENTERPRISES INC., A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A COMMERCIAL CONTAINER REFUSE GATHERING AND DISPOSING SERVICE IN THE CITY OF LAREDO, TEXAS AND PROVIDING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED; PROVIDING INDEMNITY TO THE CITY; CITY RETAINS AUTHORITY TO REGULATE RATES EXCEPT FOR RATE INCREASES RESULTING FROM INCREASED LANDFILL FEES WHICH ARE PASSED ON TO THE CUSTOMER; PROVIDING FOR INCREASED SERVICES RATES; PROVIDING FOR FRANCHISE PAYMENTS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, BATISTA ROMAN ENTERPRISES INC., (GRANTEE) has requested a franchise to operate a commercial container refuse gathering and disposing system in the City of Laredo, Texas; and

WHEREAS, the City of Laredo (GRANTOR) desires to grant such franchise.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS:

Section I. Franchise Grant

The City of Laredo, a municipal corporation of the State of Texas, hereinafter called GRANTOR, does hereby grant to BATISTA ROMAN ENTERPRISES INC., hereinafter called GRANTEE, its successors and assigns, the non-exclusive right, privilege and franchise to construct, maintain and operate a commercial container refuse gathering and disposing service within the City of Laredo, and for that purpose to have, acquire, construct, maintain and operate in and upon the present and, future streets, alleys, highways, parkways and other public places of the City of Laredo a service of commercial container refuse gathering vehicles and the necessary or desirable appurtenances to be located on private property only in order to supply refuse gathering and disposal services to the City of Laredo, and the inhabitants hereof for the considerations and subject to the conditions, terms, duties, obligations, and limitations expressed in this Ordinance.

Section 2. Term

The franchise herein granted shall take effect upon the expiration of sixty (60) days following the date of final adoption. Prior to becoming effective, the franchise must be accepted by the GRANTEE in writing who must have filed it with the City Secretary of the City of Laredo within five (5) days after final adoption of this ordinance. If the GRANTEE shall faithfully comply with all the terms and faithfully perform all of the duties and obligations, and faithfully observe and recognize all the limitations and regulations contained in this ordinance and in the valid ordinances of this City relating to the conduct of GRANTEE's business adopted hereunder or under the police powers of the City, then the rights, franchise and privileges herein granted shall be for a term of five (5) years ending at midnight on Month day, 200x.

Section 3. Prior Franchise Terminated

Once this Ordinance becomes effective, it shall supersede and terminate any prior refuse gathering franchise granted to GRANTEE.

Section 4. Franchise Fee

- A. In consideration of the grant of the franchise herein, GRANTEE agrees to pay the GRANTOR on the twentieth (20th) day of each quarter, said quarters to begin on the first day of the months of January, April, July and October, a sum equal to four percent (4%) of gross receipts received by the GRANTEE for its services within the limits of the City of Laredo.
- B. In consideration of the grant of the franchise for the term herein specified, it is mutually agreed by both GRANTEE and GRANTOR that said percentage of gross receipts is subject to review by GRANTOR every two years and GRANTOR reserves the right to increase said percentage of gross receipts according to factors and circumstances present at the time of review, including but not limited to: the percent change in the Consumer Price Index (CPI) from the preceding calendar five year's average, specifically defined as the Consumer Price Index (U.S. Average, All Urban Consumers, AU Items) 1982-84 = 100 base as compiled by

the Bureau of Labor Statistics, the increase in GRANTEE customer base, the state of the economy, the amount of GRANTEE'S vehicles traversing GRANTOR'S roadways, and the fee paid to other comparable communities.

- C. Said payment is for the use of the GRANTOR's streets, alleys and rights-of-way.
- D. It is agreed that the payment of such percentage of gross receipts each year shall be charged by GRANTEE as items of operating expense for rate making purposes, and shall never be considered as a cost of the franchise herein granted in any determination of rates in the future.
- E. Provided further, that payments herein provided do not relieve GRANTEE from the payment of ad valorem taxes, special assessments, charges, or other fees applicable to the public generally and nothing in this section shall be construed to be a breach or in anyway affect the power of the GRANTOR to impose all ad valorem taxes on any and all property of the GRANTEE which may be lawfully subject to taxation.
- F. It is understood and agreed that any lawful amount which may be or become due by the GRANTEE to the GRANTOR, under the terms of this franchise, as well as any and all lawful ad valorem taxes which may be imposed and become due and payable to the GRANTOR upon property of the GRANTEE situated in the City of Laredo shall be paid when due and failure to pay said sum or sums of money due the GRANTOR shall be grounds for revocation of this franchise at the sole option of the City Council of the City of Laredo.

Section 5. Service Rates

- A. GRANTOR retains full and complete powers within the limits of the Constitution and laws of this State, to approve by ordinance from time to time throughout the life of this franchise a reasonable price for services to be rendered by GRANTEE hereunder.
- B. The initial service fee to be charged by GRANTEE is herein fixed by this Ordinance as Exhibit "A" to be a monthly service charge per month, per customer, per container, per weekly pick-up plus the installation fee that will not be excided.

- C. A complete schedule of monthly service charges for customer service to be rendered by GRANTEE is attached to this ordinance as Exhibit "A" and made a part hereof.
- D. Subject to Section 8 herein, it is agreed and understood by the parties that GRANTEE may increase the price for services rendered by GRANTEE hereunder without City Council approval only if the amount increased corresponds to an increase in landfill fees by the GRANTOR to the extent that such increase in the price of services rendered by GRANTEE is proportioned to offset as exactly as possible the cost of the landfill fee increase to the GRANTEE considering the difference in GRANTEE'S average gross receipts and the cost of landfill fees paid to the GRANTOR for average tonnage of refuse disposed for the previous twelve (I 2) months prior to the enactment of the increase by GRANTOR.

Section 6. Service Area

The terms of this franchise are applicable to the operations of the GRANTEE within the City Limits of the City of Laredo in serving those customers or areas which the GRANTOR now services or hereafter serves within the City Limits in the future.

Section 7. Requests for Service

The GRANTEE shall, where necessary to supply any person(s), firm, corporation, association or entity who will contract with GRANTEE to use its commercial container refuse gathering and disposal services within the limits of the City of Laredo, and who have made written demand therefore and is not delinquent in the payment of collection charges due GRANTEE, construct the necessary service facilities on the property of each such person within one hundred eighty (180) days after such written demand therefore, unless prevented by causes beyond the control of the GRANTEE.

Section 8. Records

A. The GRANTEE shall be required during the term of this franchise, or any extension thereto, to keep, and maintain in the City of Laredo complete books and records of the business carried on by it in the City and

showing its entire receipts, expenses and disbursements in connection with such business, which books and records shall be kept by competent accountants in the manner prescribed or approved by the City Council.

- B. GRANTEE is required to keep and maintain in the City of Laredo during the life of this franchise, or any extension thereto, a complete inventory of its vehicles and equipment situated in the City of Laredo, showing the value thereof and its investments therein.
- C. Said books, records and inventory shall be made available for inspection and verification by the City Council or any authorized official of the City of Laredo at their request.
- D. City Council or any authorized official of the City of Laredo shall have the right at any reasonable time to audit the books, records or inventory of GRANTEE.
- E. GRANTEE shall file full and complete reports with GRANTOR along with the franchise fee before the first day of each quarter, beginning the first day of the months of January, April, July and October, on the following:
- I. A list of all existing commercial accounts served, including customer name, address, frequency, pick-up, size of container (in cubic yards) or type of service and charge for same.
- 2. A list of all new commercial accounts served, including customer name, address, frequency pick-up, size of container (in cubic yards) or type of service and charge for same.
- 3. Names and addresses of commercial customers dropped from service for any reason and the reason, if available, that such customer was dropped from service.
- 4. A balance sheet showing the total gross receipts within the City of Laredo starting at a beginning and ending date for the previous quarter.
- 5. A statement by an authorized official of GRANTEE, under oath, attesting to and duly verifying the accuracy of all items covered in this section.
- F. GRANTEE shall file a full and complete report with GRANTOR before the first day January every

year on the following:

I. A list of all vehicles used in providing service and all vehicles which have been added to or removed from providing such service. Such list shall include state license number, year, make, model, and manufacturer's rated capacity for each vehicle.

Section 9. Placement of Containers

The location and placing of containers and other instrumentalities by the GRANTEE shall at all times be on private property only, and no containers or other instrumentalities shall be placed on public streets, sidewalks, or within the street right of way area.

Section 10. Compliance with Laws, Ordinances and Regulations

- A. GRANTEE shall conform and comply with all city, county, state and federal laws, ordinances, provisions of the Charter of the City of Laredo, rules and regulations now in force and that may hereafter be adopted pertaining to the subject matter of this Ordinance. Nothing in this ordinance shall be construed in any manner to abridge the right of GRANTOR to pass or enforce necessary police, health, or safety regulations for the protection of its inhabitants.
- B. All equipment and vehicles and all construction, disposal and other work done by the GRANTEE in the operating of its business shall comply with all laws, rules and regulations of the State of Texas and of the United States of America imposed upon the refuse gathering or disposal of refuse by the GRANTEE and/or the GRANTOR.

Section II. Indemnity

GRANTEE shall at all times defend, indemnify, save and hold harmless the GRANTOR and each of its officers, agents, servants and employees from any and all suits, actions, claims, losses or damages of any character and from all expenses incidental to the defense of such suits action or claims based upon or arising out of any injury, disease, sickness or death of any person or persons, or any damages to any property including

environmental damage caused by any act or omission of the GRANTEE or its officers, agents, servants, employees, or anyone else under GRANTEE's direction and control and arising out of, occurring in connection with, resulting from or caused by the performance or failure of performance or the nonperformance of said work, service or business. Upon notice given to GRANTEE by GRANTOR, GRANTEE must defend, at its own expense, any said action or suit brought against the GRANTOR and Counsel chosen by GRANTEE to defend GRANTOR must be satisfactory to GRANTOR.

Section 12. Insurance

A. GRANTEE shall carry, procure, furnish and file with the City Secretary insurance as follows:

I. Workers Compensation

GRANTEE shall furnish a certificate of insurance indicating workers compensation coverage as required by the State of Texas.

2. <u>Automobile Liability Insurance</u>

GRANTEE shall carry in its own name, a policy in comprehensive form to insure the automobile liability of its operation with limits to not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury and, in addition, not less than One Hundred Thousand (\$100,000.00) property damage. This policy shall name GRANTOR as an additional insured and provide for thirty (30) days notice to GRANTOR prior to cancellation. A certification of insurance showing such coverage shall be filed before the effective date of this franchise, and it shall be maintained in force during the term of this franchise and any extension thereto.

3. General Liability

GRANTEE shall carry, in its own name, a comprehensive liability insurance policy including contractual coverage for operations other than automobile with limits of not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury, and One Hundred Thousand Dollars (\$100,000.00) per

occurrence for property damage. The policy shall name the GRANTOR as a named insured and provide for thirty (30) days notice to GRANTOR prior to cancellation. A certificate of insurance certifying such coverage shall be filed before the effective date of this franchise and maintained in force during the term the franchise and any extension thereto.

Section 13. Service Standard and Equipment

GRANTEE shall maintain and operate its collection system and equipment in good order to render efficient service subject to the terms of this franchise. GRANTEE shall obtain and maintain in good working order sufficient equipment to provide regular service throughout the City of Laredo. The trucks used in the collection of garbage or refuse shall be all metal, water tight, and shall be equipped with closed bodies equipped with hydraulically operated devices for compacting collected garbage and meet all federal and state laws and regulations and are subject to approval by GRANTOR. GRANTEE shall not litter premises in the process of making collections nor allow any refuse to blow at all from any vehicle used for collection. Collection vehicles and all containers shall be painted and numbered and shall have the GRANTEE's name and telephone number painted in letters of a contrasting color. All vehicles and containers shall be kept in a clean and sanitary condition.

Section 14. Landfill Facilities

A. GRANTEE agrees to use only the city municipal solid waste facilities for disposal or processing of municipal solid waste and industrial solid waste including but not limited to the city sanitary landfills, and other city municipal solid waste facilities such as transfer stations, to discharge municipal solid waste and industrial solid waste as defined in 30 TAC §330.2, that GRANTEE shall collect from its customers. GRANTEE shall pay all landfill fees on time associated with said use. It is specifically understood, however, that the City is under no obligation to furnish sanitary landfills or other municipal solid waste disposing facilities to the GRANTEE. GRANTEE is granted a privilege to use the city municipal solid waste

disposing and processing facilities. The permit granted to the GRANTEE is limited to the facilities normally

operated by the GRANTOR for all municipal garbage disposal or processing. If the GRANTOR's facilities

for any reason is not available for use, either temporarily or permanently, as determined by the City Council of

the City of Laredo, or by any prohibited solid waste which cannot be accepted by the facilities, as determined

by 30 TAC §330, the GRANTOR shall be under no obligation to furnish to the GRANTEE sanitary

landfills, or any other municipal solid waste disposing and processing facilities.

B. GRANTEE, in its operation, shall comply with all requirements of the City of Laredo and the

department of the city operating the city landfill or refuse disposal site including but not limited the hours

designated for receiving refuse at the disposal site.

C. GRANTEE is considered a generator and transporter of waste and may be subject to environmental

liability.

Section 15. Assignment

This franchise shall not be assigned without the prior consent of the City Council as expressed in an

Ordinance passed by the Council. If consent is given, the terms of this franchise shall be binding upon an

inure to the benefit of the parties hereto and their respective administrators, successors, and assigns.

Section 16. Notices

All notices, payments, reports, statements or demands, which are given or made to either GRANTEE or

GRANTOR, as provided for in this ordinance, or incident to its terms, or in the exercise of the police power

of the City, may be effected by personal delivery in writing or by certified mail, postage prepaid. Mailed

notices shall be addressed to the Parties at the addresses appearing below, but each Party may change its

address by written notice in accordance with this section.

GRANTOR: City of Laredo

c/o City Manager

P.O. Box 579

Laredo, Texas 78042

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GRANTEE:

Manuel Batista

Batista Roman Enterprises, Inc.

1341 Kimberly Dr.

Laredo, Texas 78045

Section 17. Office

GRANTEE shall establish and maintain an office with telephone service and shall keep said office open for

business from 9:00 a.m. to 5:00 p.m. each and every day except for Saturday, Sunday and holidays which are

recognized by the City for its general employees. Any telephone call received by GRANTEE shall be given

prompt and courteous attention.

Section 18. Interruption of Service

In the event that service shall be interrupted for any reason for more than forty-eight (48) hours, GRANTOR

shall have the right to make temporary independent arrangements for the purposes of continuing this necessary

service to its residents in order to provide or protect the public health and safety. If the interruption in service

mentioned herein continues for a period of seventy-two (72) hours, then the GRANTOR shall have the right

to terminate the rights and privileges granted in this franchise.

Section 19. Default and Termination

A. In the event that any provision of this franchise is violated by GRANTEE, GRANTOR may serve

written notice to the GRANTEE of its intention to terminate this franchise.

B. Said written notice shall contain the reasons for such intention to terminate the franchise.

C. Unless within ten (I 0) days after mailing such notice by GRANTOR to GRANTEE, such violation

shall cease, or satisfactory arrangements for correction be made by GRANTEE, the City Council may, after a

public hearing in which GRANTEE is provided an opportunity to present evidence concerning such violation,

by motion duly adopted, declare the franchise terminated and serve written notice upon GRANTEE of the

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termination and the termination of the franchise shall be effective upon the mailing of such notice.

D. In the event of a termination, the GRANTOR shall have the right to take over the work or portion thereof and prosecute the same, by contract, franchise, or otherwise, for the account and at the expense of GRANTEE. GRANTEE shall be liable to the GRANTOR for any excess costs, expenses, and revenues occasioned by GRANTOR taking over the service, and in such event the GRANTOR may take possession and utilize in prosecuting the work, such appliances, equipment and sites as may have been used by the GRANTEE and are necessary therefore. After issuance by GRANTOR of its notice of intention to terminate the franchise, GRANTEE shall not remove from the City any of its equipment normally used in the prosecution of the work until arrangements to continue the work, by contract or otherwise, have been completed by GRANTOR.

Section 20. Venue

Proper venue under this franchise shall be in Webb County, Texas and Texas Laws shall apply.

Section 21. Adoption, Publication and Effective Date

- A. This ordinance, upon being introduced at a regular meeting of the City Council, shall be read at three separate regular meetings of the City Council and shall not be passed finally until thirty (30) days after the first reading.
- B. Within five (5) days following each of the three (3) readings of this ordinance, the full text of this ordinance shall be published in some newspaper of general circulation of the City, and the expense of such publication shall be borne by GRANTEE.
- C. This ordinance shall not become effective until it has been accepted by GRANTEE and until the expiration of sixty (60) days following the date of its final adoption.
- D. The City Secretary is authorized and directed to make appropriate endorsements over his official hand

and the seal of the City of Laredo in the attached Exhibit "B", thereby endorsing the following:

I. the dates upon which this ordinance shall have been read at three separate regular meetings

of the City Council and the date of final passage of this ordinance; and

2. the dates upon which the full text of this ordinance shall have been published for three times

and the name and address of the daily newspaper in which such publications were had in the City of Laredo;

and the date upon which this ordinance shall take effect.

Section 22. Severability

If any, provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to

any person or set of circumstance, except for section 5 herein, is for any reason held to be unconstitutional,

void, invalid or for any reason unenforceable, the validity of the remaining portion of this ordinance or its

application to other person or sets of circumstances shall not be affected thereby, it being the intent of the City

Council of the City of Laredo in adopting this ordinance that no portion hereof or provision or regulation

contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity,

and all provisions are declared severable for that purpose.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE

XXst_DAY OF Month 200X.

Elizabeth G. Flores Mayor

ATTEST:

Gustavo Guevara, Jr.

City Secretary

APPROVED AS TO FORM:

Jaime L. Flores

12

By: Attorney

By: Acceptant Assistant City Attorney

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LAREDO, TEXAS:

Applicant , for itself and its successors hereby accepts the above and foregoing Franchise Ordinance and agrees to be bound by all of its terms and provisions.

		Batista Roman Enterprises, Inc.	
		Manuel Batista President	
Dated thisday of	, 2004.	-	
STATE OF TEXAS	§ §		
COUNTY OF WEBB	Š		

I, GUSTAVO GUEVARA, JR., City Secretary of the City of Laredo, Texas, hereby certify that the Above and foregoing acceptance was received and filed in the office of the City Secretary of the City of Laredo on the ______ day of July, 2004.

EXECUTED under my hand and official seal of the City of Laredo in the said City this the

day of July, 2004.	
	Gustavo Guevara, Jr.
	City Secretary

(SEAL)

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COUNCIL COMMUNICATION

DATE:	SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE
	ACCEPTING A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT
	AGENCY (FEMA) WHICH HAS AWARDED A \$27,350 GRANT WITH THE CITY OF
	LAREDO DESIGNATING \$11,722 IN MATCHING FUNDS FOR A TOTAL OF \$39,072,
3/29/04	AND AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET FROM
3129104	THE GENERAL FUND BY APPROPRIATING THE SAID GRANT REVENUE TO THE
	APPROPRIATE EXPENDITURE ACCOUNTS. THE GRANT MONIES WILL BE USED
	TO IMPLEMENT RAPID INTERVENTION TEAM KITS (RIT KITS) ALONG WITH THE
	PURCHASE OF TWO (2) THERMAL IMAGERS. MATCHING FUNDS ARE
	AVAILABLE IN THE GENERAL FUND.
TRITUTE A TENTE DAZ.	CTATE COUNCE.

	TIVINE DEE III THE GENERAL IS I GIVE.		
INITIATED BY:	•	STAFF SOURCE:	
Larry Dovalina,		Luis Sosa,	
City Manager		Fire Chief	

PREVIOUS COUNCIL ACTION:

None

BACKGROUND: The Laredo Fire Department continues to be the first responders in Fire, Medical. Hazmat and now Bioterrorism calls in the Laredo and Webb County region. The specialties that the Laredo Fire Department encompasses are eight Fire Suppression, Hazardous Material Response Team, Emergency Medical Services (Medical Intensive Care Unit/Rescue), Airport Rescue Fire-Fighting, Confined Space Rescue, Swift Water Rescue, Hazmat Spill Containment, and Training Services for all specialties including an International Training Facility. Laredo Fire Department provides initial defense in homeland security for both sides of the United States/Northern Mexico border. It is the Department's intention to fund the purchase of rapid intervention team kits (RIT KITS). Specifically, there will be three (3) kits. These kits will be strategically located on engine companies to provide the greatest possible geographical coverage and be readily deployable at emergency scenes. The acquisition of these RIT KITS will greatly benefit the department and also be of significant value to the community served. The use of these RIT KITS will be a major benefit to firefighter safety, and will also be utilized in fire ground operations that require a search. The intent is to maximize efforts to protect firefighters on the fire ground. In addition, two (2) Thermal Imagers will be purchased to facilitate all rescue efforts for both civilian and firefighters at emergency situations. These kits, coupled with the thermal imagers will prove to be a critical element in achieving this level of safety.

FINANCIAL IMPACT:				Amended
Amended Revenues:	Acct#	Budget	Incr/Decr	Budget
EPR/FEMA	101-0000-321-6102	-0-	\$27,350	\$27,350
		Total	\$27,350	
				<u>Amended</u>
Amended Expenditures	Acet #	<u>Budget</u>	Incr/Decr	<u>Budget</u>
Minor Apparatus & Tools	101-2480-522-2400	-0-	\$19,072	\$19,072
Machinery & Equipment	101-2480-525-9001	-0-	20,000	20,000
Repairs to Bldgs. & Improv.	101-2410-522-3010	27,657	(11,722)	15,935
		Total	\$27,350	

COMMITTEE RECOMMENDATION:	STAFF RECOMMENDATION:
	Staff recommends that City Council approve this
	Introductory Ordinance as presented.

INTRODUCTORI GRADINZANCI

ACCEPTING A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) WHICH HAS AWARDED A \$27,350 GRANT WITH THE CITY OF LAREDO DESIGNATING \$11,722 IN MATCHING FUNDS FOR A TOTAL OF \$39,072, AND AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET FROM THE GENERAL FUND BY APPROPRIATING THE SAID GRANT REVENUE TO THE APPROPRIATE EXPENDITURE ACCOUNTS. THE GRANT MONIES WILL BE USED TO IMPLEMENT RAPID INTERVENTION TEAM KITS (RIT KITS) ALONG WITH THE PURCHASE OF TWO (2) THERMAL IMAGERS. MATCHING FUNDS ARE AVAILABLE IN THE GENERAL FUND.

WHEREAS, on March 1, 2004, City Council held a public hearing and introduced this ordinance; and

WHEREAS, Laredo Fire Department continues to be the First Responders in Fire, Medical, Hazmat and Bioterrorism in the Laredo and Webb County Region,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

The City of Laredo Fire Department FY 2003-2004 Annual Budget is amended as follows:

				<u>Amended</u>
Amended Revenues:	Acct #	<u>Budget</u>	Incr/Decr	Budget
EPR/FEMA	101-0000-321-6102	-0-	\$27,350	\$27,350
		Total	\$27,350	
				Amended
Amended Expenditures	Acet #	Budget	Incr/Decr	Budget
Minor Apparatus & Tools	101-2480-522-2400	-0-	\$19,072	\$19,072
Machinery & Equipment	101-2480-525-9001	-0-	20,000	20,000
Repairs to Bldgs. & Improv.	101-2410-522-3010	27,657	(11,722)	15,935
		Total	\$27,350	

PASSED BY THE CITY COUNCIL	AND APPROVED BY	THE MAYOR ON THIS
DAY OF		. 2004.

APPROVED/AS TO FORM:

ELIZABETH G. FLORES, MAYOR

ATTEST:

TAIME FORES, CITY ATTORNEY GUSTAVO GUEVARA, JR., CITY SECRETARY

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COUNCIL COMMUNICATION

	COUNCIL COMMUNICATION
DATE:	SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE
	Amending the City of Laredo the FY 2003-2004 full-time equivalent positions by
03/29/2004	increasing one (1) part-time Health Educator position from a total of .48 FTE
	without benefits to .50 FTE with benefits in the Childhood Lead Poisoning
	Prevention Program of the City of Laredo Health Department for the period
	beginning November 1, 2003, through June 30, 2004. Funding is available in the
	Childhood Lead Poisoning Prevention Program grant.
ENTERT A SPECIA	DV COLUMN

INITIATED BY:

Cynthia Collazo

Asst. City Manager

STAFF SOURCE:

Hector F. Gonzalez, M.D., M.P.H.

Health Director

PREVIOUS COUNCIL ACTION: On November 3, 2003, Council approved Ordinance No. 2003-O-275 for the *Childhood Lead Poisoning Prevention Program* of the City of Laredo Health Department for the period beginning November 1, 2003, through June 30, 2004; and amending the FY 2003-2004 full-time equivalent positions by creating one (1) part-time Health Educator position for a total of .48 FTE with no benefits.

BACKGROUND:

The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.

The City of Laredo Health Department has developed a *Childhood Lead Poisoning Prevention Program* to perform lead poisoning prevention activities at the community level by collaborating with local physicians and other education, social service and housing agencies that have a role in community-wide prevention efforts.

The Program will also:

- Coordinate lead poisoning prevention activities with other pertinent health, housing, and environmental agencies;
- Develop and implement a primary lead poisoning prevention plan that focuses on the highest risk sources and populations;
- Analyse surveillance and other date to identify lead exposure patterns and high-risk populations;
- Ensure that necessary lead screening services are being provided to children in the identified and approved service area;
- Report blood levels to the Texas Department of Health, Bureau of Epidemiology, as required by the Health and Safety Code; and
- Ensure that medical and environmental follow-up services are provided to lead poisoned children.

The purpose of this action is to increase one (1) part-time Health Educator position @ .48 FTE with no benefits (999 hours/yr) to .5 FTE with benefits (1040 hours/yr).

PERSONNEL ON NEXT PAGE

FINANCIAL: This action will constitute an increase of \$595.66 in salary expenses (not including benefits) to increase the position from .48% FTE to .50% FTE. The funds are available within the *Childhood Lead Poisoning Prevention Program* budget (226-6028) through the end of the grant period of June 30, 2004.

RECOMMENDATION:	STAFF: Recommends that Council introduce
	ordinance.

PERSONNEL

PERSONNEL	APPROVED	PROPOSED	PROPOSED
BUDGET 226-6028	FTEs	CHANGE	NEW FTEs
Health Educator	0.48	0.02	0.5
TOTAL	0.48	20.02	0.5

ORDINANCE

AMENDING THE CITY OF LAREDO THE FY 2003-2004 FULL-TIME EQUIVALENT POSITIONS BY INCREASING ONE (1) PART-TIME HEALTH EDUCATOR POSITION FROM A TOTAL OF .48 FTE WITHOUT BENEFITS TO .50 FTE WITH BENEFITS IN THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING NOVEMBER 1, 2003, THROUGH JUNE 30, 2004. THIS POSITION IS GRANT FUNDED. FUNDING IS AVAILABLE IN THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT.

WHEREAS, the Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department; and

WHEREAS, the City of Laredo Health Department has developed a *Childhood Lead Poisoning Prevention Program* to perform lead poisoning prevention activities at the community level by collaborating with local physicians and other education, social service and housing agencies that have a role in community-wide prevention efforts; and.

WHEREAS, the Program will also:

- Coordinate lead poisoning prevention activities with other pertinent health, housing, and environmental agencies;
- Develop and implement a primary lead poisoning prevention plan that focuses on the highest risk sources and populations;
- Analyse surveillance and other date to identify lead exposure patterns and high-risk populations;
- Ensure that necessary lead screening services are being provided to children in the identified and approved service area;
- Report blood levels to the Texas Department of Health, Bureau of Epidemiology, as required by the Health and Safety Code; and
- Ensure that medical and environmental follow-up services are provided to lead poisoned children; and

WHEREAS, the purpose of this action is to increase one (1) part-time Health Educator position @ .48 FTE with no benefits (999 hours/yr) to .5 FTE with benefits (1040 hours/yr).

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1:	equivalent positions by	increasing one par r. with no benefits	d the FY 2003-2004 full-time rt-time (.48) Health Educator to one part-time (.50) Health nefits.
Section 2:	as allowable under the S	pecial Contract Pro H to meet the nec	ake transfers within the budget visions and General Provisions essary costs to accomplish the
PAS	SED BY THE CITY COU	NCIL AND APPR	OVED BY THE MAYOR
ON THIS _	DAY () F	, 2004.
ATTEST:			ELIZABETH G. FLORES MAYOR
GUSTAVO CITY SECF	GUEVARA, JR. RETARY		
APPROVEI	O AS TO FORM:		
JAIME FLO	DRES		

CITY ATTORNEY

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COUNCIL COMMUNICATION

DATE: SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE Authorizing the City Manager to amend the City of Laredo's FY 2003-2004 Full-Time Equivalent Positions by converting three (3) part-time with no benefits (1.44) 03/29/2004 FTE) Community Service Aides positions at 19.21 hours each per week to one (1) full-time position with benefits Community Service Aide position in the HIV Prevention Project of the City of Laredo Health Department, funded by the Texas Department of Health to provide continuous support services to the HIV Program clients and to maintain effective preventive services. Funding is available in the HIV Prevention Project grant.

INITIATED BY:

STAFF SOURCE:

Cynthia Collazo Asst. City Manager Hector F. Gonzalez, M.D., M.P.H.

Health Director

PREVIOUS COUNCIL ACTION: On March 24, 2003, Council approved Ordinance No. 2003-O-070 authorizing the creation of three (3) part-time with no benefits (1.44 FTE) Community Service Aides positions at 19.21 hours each per week in the HIV Prevention Project of the City of Laredo Health Department, funded by the Texas Department of Health.

BACKGROUND:

The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.

The HIV Prevention Project will conduct human immunodeficiency virus (HIV) prevention activities to ensure HIV prevention services are provided to persons at greatest risk of acquiring or transmitting HIV infection as identified through the HIV prevention community planning Strategies to accomplish the project's goals shall demonstrate cost-effectiveness, innovation, coordination, and collaboration.

The purpose of the HIV Prevention Project is to assist to:

- Prevent the transmission of HIV or reduce the number of new HIV infections;
- Increase the number of persons who know their HIV status;
- Reduce associated morbidity and mortality among HIV-infected persons and their partners by assuring referral to medical, social, and prevention services; and
- Initiate needed HIV prevention services according to the HIV Prevention Area Action Plan (AAP) for the qualifying counties.

The project will serve qualifying residents in the Jim Hogg, Starr, Webb and Zapata Counties

The purpose of converting three (3) part-time CSA positions to one (1) fulltime CSA position is to provide continuous support services to the HIV Program clients and to maintain effective preventive services.

PERSONNEL CHART ON NEXT PAGE

FINANCIAL: This action will constitute a decrease of \$6,701 in salary expenditures (not including benefits) to convert three (3) PT CSA positions to one (1) full-time CSA position. There are sufficient funds in the HIV Prevention Project budget (226-6001) to proceed with this action through the end of the grant period of December 31, 2004.

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- R H - I			_	

STAFF: Recommends that Council introduce ordinance.

PE	RSONNEL		
BUDGET 226-6079	FTE FROM	CHANGE	NEW FTEs
CASEWORKER	2	0	2
HEALTH ED. ASST.	1	0	1
AIDS PROGRAM COORDINATOR	0.32	0	0.32
COMMUNITY SERVICE AIDE	1.44	-0.44	1
	17-31-14-76	#\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	

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ORDINANCE

AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO'S FY 2003-2004 FULL-TIME EOUIVALENT POSITIONS BY CONVERTING THREE (3) PART-TIME WITH NO BENEFITS (1.44 FTE) COMMUNITY SERVICE AIDES POSITIONS AT 19.21 HOURS EACH PER WEEK TO ONE (1) **FULL-TIME POSITION** WITH BENEFITS COMMUNITY SERVICE AIDE POSITION IN THE HIV PREVENTION PROJECT OF THE CITY OF LAREDO HEALTH DEPARTMENT, FUNDED BY THE TEXAS DEPARTMENT OF HEALTH TO PROVIDE CONTINUOUS SUPPORT SERVICES TO THE HIV PROGRAM **CLIENTS** AND MAINTAIN EFFECTIVE PREVENTIVE SERVICES. THESE POSITIONS ARE GRANT FUNDED. **FUNDING** TS AVAILABLE IN THE HIV PREVENTION PROJECT GRANT.

WHEREAS, the Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

WHEREAS, the HIV Prevention Project will conduct human immunodeficiency virus (HIV) prevention activities to ensure HIV prevention services are provided to persons at greatest risk of acquiring or transmitting HIV infection as identified through the HIV prevention community planning process. Strategies to accomplish the project's goals shall demonstrate cost-effectiveness, innovation, coordination, and collaboration, and

WHEREAS, purpose of the HIV Prevention Project is to assist to:

- Prevent the transmission of HIV or reduce the number of new HIV infections;
- Increase the number of persons who know their HIV status;
- Reduce associated morbidity and mortality among HIV-infected persons and their partners by assuring referral to medical, social, and prevention services; and
- Initiate needed HIV prevention services according to the HIV Prevention Area Action Plan (AAP) for the qualifying counties.

The project will serve qualifying residents in the Jim Hogg, Starr, Webb and Zapata Counties, and

WHEREAS, the purpose of converting three (3) part-time CSA positions to one (1) fulltime CSA position is to provide continuous support services to the HIV Program clients and to maintain effective preventive services.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

This amendment shall authorize the City Manager to amend the City of Laredo's FY 2003-2004 Full-Time Equivalent Positions by converting three (3) part-time with no benefits (1.44 FTE) Community Service Aides positions at 19.21 hours each per week to one (1) full-time position with benefits Community Service Aide position in the HIV Prevention Project of the City of Laredo Health Department, funded by the Texas Department of Health to provide continuous support services to the HIV Program clients and to maintain effective preventive services.

Section 2: The City Manager is hereby authorized to make transfers within the budget as allowable under the Special Contract Provisions and General provisions of the contract with the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

GUSTAVO GUEVARA, JR. CITY SECRETARY

APPROVED AS TO FORM:

JAIME FLORES
CITY ATTORNEY

ATTEST:



	COUNCIL COMMUNICATION
DATE:	SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE
	Authorizing the City Manager to amend the City of Laredo's FY 2003-2004 Full-
03/29/2004	Time Equivalent Positions by converting one (1) part-time with no benefits (.48
	FTE) Community Service Aide position at 19.21 hours each per week to one (1)
	full-time with benefits Community Service Aide position for HIV-Infected Persons
	Project (PSHIP) of the City of Laredo Health Department to provide continuous
	support services and to maintain effective client prevention services. Funding is
	available in the HIV-Infected Persons Project (PSHIP) grant.

INITIATED BY: STAFF SOURCE: Cynthia Collazo Hector F. Gonzalez, M.D., M.P.H. Health Director Asst. City Manager

PREVIOUS COUNCIL ACTION: On March 24, 2003, Council approved Ordinance No. 2003-O-071 authorizing the City Manager to amend the City of Laredo's Full-Time Equivalent Positions by creating one (1) part-time with no benefits (.48 FTE) Community Service Aides positions at 19.21 hours each per week for HIV-Infected Persons Project (PSHIP) of the City of Laredo Health Department.

BACKGROUND:

The Texas Department of Health has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.

The mission of the Prevention Services for HIV-Infected Persons Project (PSHIP) is to provide effective prevention services to people who have multiple and complex needs which interfere with their ability to adopt and sustain behaviors promoting reduced risk for disease transmission. The priority target populations to be served shall be (1) young men who have sex with men (MSM), especially men of color; (2) intravenous drug users (IDUs); and (3) sex and needle sharing partners of the populations as specified above.

The PSHIP shall utilize a range of activities including interventions to initiate and maintain behavior changes to reduce the risk of transmitting the virus, and linkages to medical care and social services and support for remaining in and adhering to care.

The purpose of converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for HIV-Infected Persons Project (PSHIP) is to provide continuous support services and to maintain effective client prevention services.

PERSONN	IEL		
BUDGET 226-6004	FTE FROM	CHANGE	FTE TO
CASEWORKER	. 1	0	1
HEALTH ED. ASST.	1	0	1
AIDS PROGRAM COORDINATOR	0.15	0	0.15
COMMUNITY SERVICE AIDE	0.48	0.52	1
TOTAL CONTRACTOR	215E	(CXI)	5.18

FINANCIAL: This action will constitute an increase of \$7,964 in salary expenditures (not including benefits) to convert one (1) PT CSA positions to one (1) full-time CSA position. There are sufficient funds in the HIV-Infected Persons Project (PSHIP) budget (226-6004) to proceed with this action through the end of the grant period of December 31, 2004.

RECOMMENDATION:	STAFF: Recommends that Council introduce
	ordinance.

ORDINANCE

AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO'S FY 2003-2004 FULL-TIME EQUIVALENT POSITIONS BY CONVERTING ONE (1) PART-TIME WITH NO BENEFITS (.48 FTE) COMMUNITY SERVICE AIDE POSITION AT 19.21 HOURS EACH PER WEEK TO ONE (1) FULL-TIME WITH BENEFITS COMMUNITY SERVICE AIDE POSITION FOR HIV-INFECTED PERSONS PROJECT (PSHIP) OF THE CITY OF LAREDO HEALTH DEPARTMENT TO PROVIDE CONTINUOUS SUPPORT SERVICES AND TO MAINTAIN EFFECTIVE CLIENT PREVENTION SERVICES. FUNDING IS AVAILABLE IN THE HIV-INFECTED PERSONS PROJECT (PSHIP) GRANT.

WHEREAS, the Texas Department of Health (TDH) is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

WHEREAS, the mission of the Prevention Services for HIV-Infected Persons Project (PSHIP) is to provide effective prevention services to people who have multiple and complex needs which interfere with their ability to adopt and sustain behaviors promoting reduced risk for disease transmission. The priority target populations to be served shall be (1) young men who have sex with men (MSM), especially men of color; (2) intravenous drug users (IDUs); and (3) sex and needle sharing partners of the populations as specified above; and

WHEREAS, the PSHIP shall utilize a range of activities including interventions to initiate and maintain behavior changes to reduce the risk of transmitting the virus, and linkages to medical care and social services and support for remaining in and adhering to care; and

WHEREAS, the purpose of converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for HIV-Infected Persons Project (PSHIP) is to provide continuous support services and to maintain effective client prevention services.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

The City Manager is hereby authorized to amend the City of Laredo's Full-Time Equivalent Positions by converting one (1) part-time with no benefits (.48 FTE) Community Service Aide position at 19.21 hours each per week to one (1) full-time with benefits Community Service Aide position for HIV-Infected Persons Project (PSHIP) of the City of Laredo Health Department to provide continuous support services and to maintain effective client prevention services.

Section 2:

CITY ATTORNEY

The City Manager is hereby authorized to make transfers within the budget as allowable under the Special Contract Provisions and General provisions of the contract with the Texas Department of Health to meet the necessary costs to accomplish the scope of work for the project.

PASSED BY THE C	CITY COUNCIL ANI	APPROVED BY THE MAYOR
ON THIS	DAY OF	, 2004.
		ELIZABETH G. FLORES MAYOR
ATTEST:		
GUSTAVO GUEVARA, JI CITY SECRETARY	R	
APPROVED AS TO FORM	1 :	
JAIME FLORES	*******	



DATE: SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE Authorizing the City Manager to amend the City of Laredo FY 2003-2004 annual budget by increasing revenues and expenditures by \$10,000 which represents a contribution from the Mercy Health Plans for children's health insurance outreach activities of the City of Laredo Health Department for the period beginning May 1, 2004, through September 30, 2004.

INITIATED BY:

STAFF SOURCE:

Cynthia Collazo

Hector F. Gonzalez, M.D., M.P.H.

Asst. City Manager

Health Director

PREVIOUS COUNCIL ACTION: None

BACKGROUND:

The Mercy Health Plans has generously contributed \$10,000 to provide children's health insurance outreach activities and enrollment assistance that will reach families for uninsured children in ways that are culturally competent and locally appropriate, and provide application assistance to families of uninsured children applying for health insurance. The target counties include Jim Hogg, Webb and Zapata.

BUDGET

BUL	$\mathcal{O}_{\mathcal{L}}$	/ L
CATERGORIES		CURRENT
		BUDGET
MHP REVENUES	\$	10,000
PROGRAM INCOME		0
TOTAL REVENUES	\$	10,000
EXPENSES		
PERSONNEL	\$	0
FRINGE BENEFITS		О
TRAVEL		0
EQUIPMENT		0
SUPPLIES		400
CONTRACTUAL		0
OTHER		9,600
TOTAL DIRECT COSTS	\$	10,000
INDIRECT		0
TOTAL	\$	10,000

FINANCIAL: The City of Laredo will receive \$10,000 from the Mercy Health Plans for children's health insurance outreach activities of the City of Laredo Health Department for the period beginning May 1, 2004, through September 30, 2004. The revenue line item for this project is 226-0000-372-1000 and the expenditure account is 226-6402.

PECOMI	ALTONOTES A	TTONE.

STAFF: Recommends that Council introduce ordinance.

ORDINANCE

AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY INCREASING REVENUES AND EXPENDITURES \mathbf{BY} \$10,000 REPRESENTS A CONTRIBUTION FROM THE MERCY HEALTH PLANS FOR CHILDREN'S HEALTH INSURANCE OUTREACH **ACTIVITIES** OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD BEGINNING MAY 1, 2004, THROUGH SEPTEMBER 30, 2004.

WHEREAS, the Mercy Health Plans has generously contributed \$10,000 to provide children's health insurance outreach activities and enrollment assistance that will reach families for uninsured children in ways that are culturally competent and locally appropriate, and provide application assistance to families of uninsured children applying for health insurance, and

WHEREAS, the target counties include Jim Hogg, Webb and Zapata.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1:	The City Manager is hereby authorized to accept the contribution of \$10,000 for children's health insurance outreach activities and enrollment assistance.
Section 2:	Revenue line item 226-0000-372-1000 funded by the Mercy Health Plans is hereby increased from \$0 to \$10,000.
Section 3:	Expenditure line item 226-6402 is hereby increased from \$0 to \$10,000.
Section 4:	The City Manager is hereby authorized to make transfers within the budget to meet the necessary costs to accomplish the scope of work.

PASSED BY	THE CITY C	COUNCIL AND	APPROVED BY	THE MAYOR

ON THIS	DAY OF	, 2004

ELIZABETH	G.	FLORES
		MAYOR

ATTEST:

GUSTAVO GUEVARA, JR. CITY SECRETARY

APPROVED AS TO FORM:

JAIME FLORES
CITY ATTORNEY

COUNCIL COMMUNICATION

DATE:

SUBJECT: MOTION

3/29/04

Consideration to fund an additional year of the contract with the Southwest Texas Rain Enhancement Association, for \$77,397.53 to cover the cost of the 2004 program. The program, which will run through December 2004, provides coverage of the entire surface of Webb County. The City will guarantee the full payment of the program and will collect donations and other commitments from the county government and residents to defray the cost. Funds for this project come from the Water Availability fund.

INITIATED BY:

STAFF SOURCE:

Larry Dovalina, City Manager

Heberto L. Ramirez, Utilities Director

PREVIOUS COUNCIL ACTION: None

BACKGROUND:

The Board of Directors of the Southwest Texas Rain Enhancement Association has agreed to begin Fiscal Year 2004 Project on March 15, 2004. This will be the fifth year to conduct a self-sufficient operation. Assessments will be of similar nature to past fiscal years. Three assessments will be charged including this initial of \$33,170.37, \$27,641.98, and \$16,585.18 respectively.

Year 2003 marked the second year of operational use of the new Cessna 340, totaling 3 full time aircraft, and saw the addition of a sixth county to the target area. Uvalde County was added on May 1st as the Edwards Aquifer Authority rearranged it cloud seeding activities. This brought the project totals to 3 aircraft, 6 available pilots, for 6 counties.

The City of Laredo has been the central point of contact for a county-wide rain enhancement program. The City will begin its yearly campaign to solicit donations from landowners immediately following the approval of this motion.

FINANCIAL IMPACT:

Full assessment of \$77,397.53 to be funded from account 557-4180-538-8001, Weather Modification Program.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Recommends approval of motion.

COUNCIL COMMUNICATION

DATE:	SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE				
	Amending the City of Laredo FY 2003-2004 annual budget by decreasing				
03/29/2004	revenues and expenditures in the amount of \$33,644 to reflect the actual grant				
	amount of \$332,590 from the South Texas Development Council for the				
	HIV/AIDS Ryan White Title II Services Program of the City of Laredo Health				
	Department for the period of April 1, 2004, through March 31, 2005.				
INITIATED	NITIATED BY: STAFF SOURCE:				

Cynthia Collazo

Hector F. Gonzalez, M.D., M.P.H.

Health Director

Asst. City Manager PREVIOUS COUNCIL ACTION: On July 07, 2003, Council approved Ordinance No. 2003-O-147 for the HIV/AIDS Ryan White Title II Services Program of the City of Laredo Health Department for the period of April 1, 2003, through March 31, 2004.

BACKGROUND:

The South Texas Development Council has contracted with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department.

The City of Laredo Health Department administers the HIV/AIDS Ryan White Title II Services Program whose purpose is to plan, develop and deliver comprehensive outpatient health and support services to meet the identified needs of individuals and families with AIDS or HIV disease in the Health Service Delivery Area (HSDA): Jim Hogg, Starr, Zapata, and Webb Counties.

Services to be provided may include, but are not limited to:

- 1. Ambulatory/outpatient medical care; case management; dental care; home health care; paraprofessional care; professional care; specialized care; durable medical equipment; hospice care, home-based and residential; medications; mental health therapy/counseling; nutritional services; rehabilitation care; substance abuse treatment/counseling; and
- 2. Support services; adoption/foster care assistance; buddy/companion services; client advocacy; counseling; day and respite care; food bank/home delivered meals; housing assistance/housing related services; transportation; other support services; and
- Insurance assistance; assistance is provided to eligible individuals with HIV disease in order to maintain continuity of health/dental insurance; or receive medical benefits under a health/dental insurance program. Insurance assistance funds may be used for payment of insurance premiums, deductibles, co-insurance payments, and related administrative costs.

BUDGET AND PERSONNEL ON NEXT PAGE

The City of Laredo will receive \$332,590 for HIV/AIDS Ryan White Title II Services Program for the period beginning April 1, 2004, through March 31, 2005. This amount signifies a decrease of \$33,644 from the current appropriation. The revenue account number for this grant is 226-0000-323-4051 and the expenditure account is 226-6006.

RE	CON	IMEND	ATION.

STAFF: Recommends that Council introduce ordinance.

BUDGET

CATERGORIES	APPROVED BUDGE	T .	CHANGE	-	NEW BUDGET
REVENUES					
STDC REVENUES	\$ 366,234	\$	-33,644	\$	332,590
PROGRAM INCOME	0		0		o
TOTAL REVENUES	\$ 366,234		-33,644	\$	332,590
EXPENSES					
PERSONNEL	\$ 87,066	\$	2,952	\$	90,018
FRINGE BENEFITS	29,606		652		30,258
TRAVEL	2,000		1,169		3,169
EQUIPMENT	0		974		974
SUPPLIES	 7,771		-5,404		2,367
CONTRACTUAL	 237,791		-60,132		177,659
OTHER	0		27,245		27,245
TOTAL DIRECT CHGS	\$ 364,234	\$	-32,544	\$	331,690
INDIRECT CHGS.	0		900		900
TOTAL DIRECT CHGS	364,234		-31,644		332,590
PROGRAM INCOME	2,000		-2,000		0
TOTAL	\$ 366,234	\$	-33,644	\$	332,590

PERSONNEL

PERSONNEL					
POSITION DESCRIPTION	# OF FTES	CHANGE	NEW FTES		
Pharmacy Technician	0.1	0	0.1		
Caseworker	1.65	0	1.65		
Clerk II	1	0	1		
AIDS Program Coordinator	0.32	0	0.32		
TOTAL	3.07		3.07		

ORDINANCE

AMENDING THE CITY OF LAREDO FY 2003-2004 ANNUAL BUDGET BY DECREASING REVENUES AND EXPENDITURES IN THE AMOUNT OF \$33,644 TO REFLECT THE ACTUAL GRANT AMOUNT OF \$332,590 FROM THE SOUTH TEXAS DEVELOPMENT COUNCIL FOR THE HIV/AIDS RYAN WHITE TITLE II SERVICES PROGRAM OF THE CITY OF LAREDO HEALTH DEPARTMENT FOR THE PERIOD OF APRIL 1, 2004, THROUGH MARCH 31, 2005.

WHEREAS, the South Texas Development Council (STDC) is contracting with the City of Laredo to provide public health services to residents of Laredo and Webb County through the City of Laredo Health Department, and

WHEREAS, the HIV Ryan White Care Title II Services Program serves to plan, develop and deliver comprehensive outpatient health and support services to meet the identified needs of individuals and families with AIDS or HIV disease in the Health Service Delivery Area: Jim Hogg, Starr, Zapata, and Webb Counties, and

WHEREAS, services to be provided may include, but are not limited to:

- 1. Ambulatory/outpatient medical care; case management; dental care; home health care; para-professional care; professional care; specialized care; durable medical equipment; hospice care, home-based and residential; medications; mental health therapy/counseling; nutritional services; rehabilitation care; substance abuse treatment/counseling; and
- 2. Support services; adoption/foster care assistance; buddy/companion services; client advocacy; counseling; day and respite care; food bank/home delivered meals; housing assistance/housing related services; transportation; other support services, and
- 3. Insurance assistance; assistance is provided to eligible individuals with HIV disease in order to maintain continuity of health/dental insurance; or receive medical benefits under a health/dental insurance program. Insurance assistance funds may be used for payment of insurance premiums, deductibles, co-insurance payments, and related administrative costs.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The City Manager is hereby authorized to execute the contract and accept the grants and their provisions as set forth by the South Texas Development Council.

Section 2:	the HIV Ryan White	Title II Services Pr	nount of \$332,590 in funds for ogram of the City of Laredo 6,644 from the actual budget.
Section 3:	Revenue line item 22 Development Council is		Sunded by the South Texas 6,264 to \$332,590.
Section 4:	Expenditure line item 22	26-6006 is decreased	from \$366,264 to \$332,590.
Section 5:		e under the General ment Council to r	Provisions as set forth by the neet the necessary costs to
PASS	SED BY THE CITY CO	UNCIL AND APPR	OVED BY THE MAYOR
ON THIS _	DAY	OF	, 2004.
ATTEST:			ELIZABETH G. FLORES MAYOR
GUSTAVO	GUEVARA, JR.		
CITY SECR	RETARY		
APPROVEI	AS TO FORM:		
JAIME FLO			
CITY ATTO	JKNE Y		

COUNCIL COMMUNICATION

SUBJECT: PUBLIC HEARING AND INTRODUCTORY ORDINANCE DATE: 03/29/2004 Authorizing the City Manager to enter into an agreement with the Federal Bureau of Investigation in the amount of \$10,000 and amend the FY 2003-2004 City of Laredo Budget by \$10,000. The agreement's purpose is to reimburse cost for overtime and fringe benefits incurred by the Laredo Police Department in providing resources of OCDETF (Organized Crime Drug Enforcement Task Forces). The term of this agreement is from October 1, 2003 through September 30, 2004. STAFF SOURCE: INITIATED BY: Agustin Dovalina, III, Chief of Police Cynthia Collazo, Assistant City Manager PREVIOUS COUNCIL ACTION

None

BACKGROUND:

Pursuant to Public Law #108-7 for Fiscal Year 2004, the FBI has been authorized to pay to pay overtime for the police officers assigned to the formalized South Texas Drug Related Public Corruption Task Force as set forth for expenses necessary for detection, investigation. and prosecution of crimes against the United States of America. The OCDETF provides financial resources to state and local law enforcement agencies that target high level drug trafficking / criminal organizations.

FINANCIAL SECTION:			
Revenues:	Original Budget	Proposed Budget	Budget Amendment
Federal Bureau of Investigation Account # 229-0000-373-2047	\$ 0	\$10,000	\$10,000
Expenses: Account # 229-2342-521-1120 Account # 229-2342-521-1210 Account # 229-2342-521-1221 Account # 229-2342-521-1240 Account # 229-2342-521-1250	\$ 0 \$ 0 \$ 0 \$ 0 \$ 0	\$ 7,504 \$ 752 \$ 35 \$ 497 \$ 1,212	\$ 7,504 \$ 752 \$ 35 \$ 497 \$ 1,212
RECOMMENDATION:		RECOMMENDATIO	

Ordinance.

ORDINANCE

Authorizing the City Manager to enter into an agreement with the Federal Bureau of Investigation in the amount of \$10,000 and amend the FY 2003-2004 City of Laredo Budget by \$10,000. The agreement's purpose is to reimburse cost for overtime and fringe benefits incurred by the by the Laredo Políce Department in providing resources of OCDETF (Organized Crime Drug Enforcement Task Forces). The term of this agreement is from October 1, 2003 through September 30, 2004.

Whereas, an agreement with the Federal Bureu of Investigations will reimburse the City of Laredo in the amount of \$10,000 for the over time work by its police officers in joint operational task forces; and

Whereas, the Chief of Police recommends that the City Council authorize the approval of this overtime agreement; and

Whereas, the City Council finds that such a budget amendment should be made and beneficial to the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: the City Manager is hereby authorized to enter into an overtime agreement with the Federal Bureau of Investigation.

Section 2: The term of this agreement is from October 1, 2003 through September 30, 2004.

Section 3: The City of Laredo's FY 2003-2004 annual budget is hereby amended in the amount of \$10,000 for reimbursable overtime costs.

PASSED BY THE CITY COUNCIL AND APP DAY OF, 2004	
	ELIZABETH G. FLORES MAYOR
ATTEST:	
GUSTAVO GUEVARA, JR. CITY SECRETARY	
APPROVED AS TO FORM: Me au	

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COUNCIL COMMUNICATION

SUBJECT: Public Hearing and introductory ordinance Amending Chapter 14 (Garbage, Trash & Refuse) of the Code of Ordinances, specifically to update the ordinance to address the Solid Waste Director, add and refine definitions and services, to change the Landfill City Vehicle Rate Fee to \$1.25, add a commercial exemption administrative fee of \$2.50, to add a credit account late fee of \$100.00 and to revise franchise requirements; providing for an effective date. INITIATED BY: Larry Dovalina City Manager STAFF SOURCE: Oscar J. Medina Solid Waste Director

PREVIOUS COUNCIL ACTION:

On September 11, 1995 the City Council amended Chapter 14 of the Code of Ordinance to provide a revised schedule of Garbage and Landfill fees.

BACKGROUND:

The Solid Waste Department was created in January of 2003 and the TNRCC was changed to Texas Commission on Environmental Quality last year. This has required that we update our ordinance to reference the new departments.

Commercial establishments who contract a franchised hauler are exempt from a garbage fee but must be monitored. The Solid Waste Department is recommending a \$2.50 administrative fee for monitoring all commercial exempt accounts for compliance with the exemption.

If payment in full on landfill credit accounts is not made within 60 days of the due date, the customer will be charged a \$100.00 late fee.

Franchise holders must agree to use only the city municipal solid waste facilities for disposal or processing municipal solid waste and industrial solid waste as required in their franchise agreement.

Municipal waste definitions and services are being updated and terms are being clarified in the definitions and other sections of the ordinance.

FINANCIAL IMPACT:

The City Vehicle Rate Fee change from 13.50 to \$1.25 reduced revenues to the Landfill fund by approximately \$500,000.

The commercial exemption administrative fee of \$2.50 will increase Garbage Fee Revenues by approximately \$100,000.

The credit account late fee of \$100.00 will increase revenues in the Landfill Fund by approximately \$3,600.00.

COMMITTEE RECOMMENDATION:	STAFF RECOMMENDATION:
None	Approval
]	i

ORDINANCE NO.

AMENDING CHAPTER 14 (GARBAGE, TRASH & REFUSE) OF THE CODE OF ORDINANCES, SPECIFICALLY TO ADDRESS THE SOLID WASTE DIRECTOR, ADD AND REFINE DEFINITIONS AND SERVICES, TO CHANGE THE LANDFILL CITY VEHICLE RATE FEE TO \$1.25, ADD A COMMERCIAL EXEMPTION ADMINISTRATIVE FEE OF \$2.50, TO ADD A CREDIT ACCOUNT LATE FEE OF \$100.00, AND TO REVISE FRANCHISE REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, In January 2003 the City of Laredo City Council approved the creation of the Solid Waste Department and the position of Solid Waste Director; and

WHEREAS, The city vehicles taking garbage to the landfill will be charged only for State fees being paid by the landfill to the State; and WHEREAS, It has been determined that all exempt commercial accounts need to be monitored for proper garbage fee charges; and

WHEREAS, Franchise requirements have been reviewed and found in need of revision; and

WHEREAS, The current ordinance is in need of revision to better clarify solid waste services; and WHEREAS, Revisions to this ordinance will improve customer service.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

SECTION 1: Amending Chapter 14 (Garbage Trash & Refuse) of the Code of Ordinances, is hereby amended to update the ordinance, to address the Solid Waste Director, add and refine definitions and services, to change the landfill city vehicle rate fee to \$1.25, add a commercial exemption administrative fee of \$2.50, to add a credit account late fee of \$100.00, and to revise franchise requirements, to be further amended as follows:

Chapter 14 GARBAGE, TRASH AND REFUSE

ARTICLE I. IN GENERAL

Sec. 14-1. Definitions.

As used in this chapter:

City health officer shall mean the city health officer of the city, or his authorized agent.

<u>Commission</u> means the Texas Commission on Environmental Quality and its successor agencies.

Current utility bill: A current utility bill is a bill issued by the City's Water Utility Business Office that includes a charge for curbside collection of garbage, which is not more than sixty(60) days old.

<u>Debris</u> - Large waste materials, such as ashes, roofing materials, dirt, automobile frames, tires, or other bulky heavy materials.

<u>Director of Solid Waste</u> shall mean the Director of Solid Waste of the City of Laredo, or a designated representative.

Dumpster: A container which holds more than one (1) cubic yard, used to store solid waste until it is collected for disposal. The term also includes roll-on/roll-off containers that are used to transport solid waste on a vehicle chassis.

Garbage shall mean all putrescible wastes, except sewage and body wastes, including all meat, vegetable and fruit refuse, and carcasses of small dead animals and dead fowl from any premises within the city limits.

Health Director shall mean the Health Director of the City of Laredo or a designated representative.

Heavy Brush: Tree and shrub limbs and trimmings, which are greater than three (3) inches in diameter and more than five (5) feet in length, tree trunks, root balls, and other large plants.

Industrial Solid Waste means solid waste resulting from or incidental to a process of industry or manufacturing, or mining or agricultural operations.

Institutional facility shall mean facilities with high density areas populations (i.e., hotels, motels, inns, rooming houses, boarding houses, jails, or schools whether private, public or quasi-public).

<u>Medical Waste</u>: Waste generated by health-care related facilities and associated health-care activities, including veterinary services.

Multi-family dwelling means any building or structure or portion thereof, which contains three (3) or more dwelling units and, for the purpose of this code, includes residential condominiums.

Municipal Solid Waste means solid waste resulting from or incidental to municipal, community, commercial, institutional, or recreational activities, and includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and other solid waste other than industrial waste.

Municipal Solid Waste Facility - All contiguous land, structures, other appurtenances, and improvements on the land used for processing, storing, or disposing of solid waste. The facility must be publicly owned and may consist of several processing, storage, or disposal units.

Owner means any person having or claiming to have any legal or equitable ownership interest in the property.

Premises shall be taken to mean business houses, boarding houses, offices, theaters, hotels, restaurants, cafes, eating houses, tourist camps, apartments, sanitariums, rooming houses, schools, private residences, vacant lots and other places within the city limits where refuse, either garbage or rubbish, accumulates.

Private property is that which is acquired or held for the special benefit of individual control, that which is owned by an individual or individuals, family estate or a corporation.

Public property is that which is governmental where it is for the use and benefit of the general public.

Public ways shall mean all alleys, sidewalks, streets and highways.

Refuse shall be interpreted to means all solid wastes, including garbage and rubbish.

Rubbish shall mean tin cans, bottles, papers, tree limbs (which shall be cut into lengths not exceeding six (6) feet, papers, etc., from any premises within the city limits nonputrescible solid waste, excluding ashes, that consists of:

- a.) Combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; or
- b.) Noncombustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that do not burn at ordinary incinerator temperatures (sixteen hundred (1600) degrees Fahrenheit to eighteen hundred (1800) degrees Fahrenheit).
- c.) Construction-demolition waste resulting from construction or demolition projects including, but not limited to, brick, concrete, concrete rubble, gypsum board, lumber, sheetrock, roofing materials, fixtures (such as bath tubs, shower stalls, sinks, and toilets,) and remodeling debris (such as cabinets, ceramic tile, Formica, and similar items).

Solid Waste: Garbage, rubbish, yard waste, heavy brush, debris, and construction-demolition materials.

Special Waste: any solid waste or combination of solid wastes that because of its quantity, concentration, physical, or chemical characteristics, or biological properties requires special handling and disposal to protect the human health or environment and as further defined in 30 TAC 330-Municipal Solid Waste Regulations.

Transfer Station - A fixed facility used for transferring solid waste from collection vehicles to long haul vehicles.

Vehicle shall mean any type cart, wagon, trailer, automobile or track, propelled in any manner.

Yard Waste: Grass clippings, weeds, leaves, mulch, small trees and shrub limbs, which are three (3) inches or less in diameter and five (5) feet in length or less, that results from landscaping maintenance. The term does not include stumps, roots, or shrubs with intact root balls.

Sec. 14-2, Garbage and rubbish--Accumulation.

(a) It shall be the duty of every person owning, managing, operating, leasing or renting any premises, or any place where garbage or rubbish accumulates, to provide, and at all times; to maintain in good order and repair on any such premises, a portable container or containers for refuse, which shall be made of galvanized metal or similar material not easily corrodible, rodent and fly proof, with a tight-fitting lid which shall not be removed except when depositing or removing the contents of the receptacle, and with handles on the sides, and of sufficient capacity and in sufficient numbers to accommodate and securely keep all the garbage and rubbish that may accumulate between collections; provided that, each such container shall have the capacity of not less than twenty (20) gallons nor more than thirty-two (32) gallons; provided, further, all containers shall be kept

clean and free from accumulation of any substance remaining attached to inside of container which would attract or breed flies, mosquitoes or any other insects.

- (b) It shall be the duty of every person owning, managing, operating, leasing or renting any premises to place the daily accumulations of garbage and rubbish in the container or containers and to eliminate as much far as possible all water and liquid. It shall be the duty of every person placing garbage, which is subject to decomposition, in any such containers required in paragraph (a) of this section and it from such garbage and to securely wrap garbage in paper or other suitable material before placing the same in such containers. Uncooked animal parts that may putrefy (such as fish heads, entrails, or animal carcasses) must be kept cool and not placed in a refuse container until the night before the scheduled collection date.
- (c) Glass, broken concrete, brick, plaster, dirt, sand, gravel, ashes, tires, roofing materials, automobile frames, lumber resulting from either residential or commercial construction or demolition, or other heavy nonputrescible materials shall not be stored placed in the containers required in paragraph (a) of this section will not be collected by the Solid Waste Department. The owner or person controlling an accumulation of glass, broken concrete, brick, plaster, dirt, sand, gravel, ashes, tires, roofing materials, automobile frames, lumber resulting from either residential or commercial construction or demolition, or other heavy nonputrescible materials shall collect and store the solid waste in commercial waste receptacles, such as a dumpster, or dispose of the solid waste within one week of the time the waste is generated at the owner's or person's expense.
- (d) All ordinary accumulations of rubbish such as tree limbs, paper boxes, and scrap lumber which cannot be conveniently placed in the containers required under this section shall be gathered together and baled, tied, or sacked in compact bundles and placed in a location easily accessible for the collector. Only piles no larger than two and a half (2 ½) feet high, by four (4) feet wide, by five (5) feet long shall be collected. A reasonable amount of material such as scrap lumber and fire wood may be stored on the premises but it shall be racked and stacked eighteen (18) inches above the ground.
- (e) In order to protect the safety of solid waste employees, filled refuse containers that are emptied manually may not weigh more than forty (40) pounds.
- (f) Filled paper or plastic bags may not weigh more than thirty (30) pounds.
- (g) The contents of a refuse container may not protrude above the top of the container and inhibit placement of the lid or have a potential of causing injury to the collector or customer.
- (h) Uncovered receptacles that contain rain water will not be picked up.
- (i) Loose and scattered waste that is not properly set out for collection as specified in this chapter will not be collected.
- (j) Recyclables shall be placed in the recycling blue bags available from the Solid Waste Department clearly identified with the recycling information printed

on the bag. Recycling bags shall be separated from other solid waste, which is set out for collection by at least five (5) feet. Recycling bags which are set out for collection but are filled with regular garbage, yard clippings, or other non-recyclable material, will not be picked up.

Sec. 14-3. Same--Collection.

- (a) The city shall have as its minimum objective the collection from the Residential areas of the city not less than twice weekly and from the business area of the city each business day except Sunday, all garbage and rubbish, provided, iIt shall be the duty of any person in possession or control of any premises to place the containers required in Sections 14-2 and 14-3 of this chapter in a location easily accessible for the collector as directed by the ecity hHealth Director eofficer or the Director of Solid Waste.
- (1) Places of excessive accumulations of garbage and rubbish, such as, but not limited to, killing and dressing plants for fowl and animals, restaurants, meat markets, grocery stores, cafeterias, and other similar commercial food establishments may be excluded from service provided by the eCity garbage Solid Waste dDepartment and such accumulations shall then be removed and disposed of at the expense of the owner or person having care, custody and control of the same; provided that the owner or person responsible for and having care, custody and control of such accumulations shall remove and dispose of such accumulations of garbage and rubbish not less than three (3) times per week by their own lawful action or by the lawful acts of private garbage and rubbish franchised haulers, approved by the dDirector of the eCity health Solid Waste dDepartment . In cases involving larger volumes of garbage, rubbish and refuse, the dDirector of the eCity-hHealth Director dDepartment may require, upon written notice to an owner or person in charge, more frequent removal and disposal of such accumulations per week. All vehicles used by such private garbage and rubbish haulers shall be provided with equipment to prevent garbage and/or rubbish from blowing out of, falling from or otherwise escaping from such vehicle. Such private garbage and rubbish haulers shall comply with all applicable ordinances of the city and rules and regulations established by the dDirector of the eCity hHealth Director dDepartment . The dDirector of the eCity hHealth Director dDepartment may grant a variance on the frequency of removal of garbage in cases where the volume, days of operation, type of container and type of garbage produced merits removal less than three (3) times per week.
- (2) Accumulations of garbage and rubbish from hotels, apartments, condominiums and other similar places may be excluded from the service provided by the eCity garbage Solid Waste dDepartment; and such accumulations shall then be removed and disposed of at the expense of the owner or person having care, custody and control of the same; provided that the owner or person responsible for having care, custody and control of such accumulations shall remove and dispose of such accumulations of garbage and rubbish not less than twice (2) per week by their own lawful action or by the lawful acts of private franchised garbage and rubbish haulers, approved by the dDirector of the city health—Solid Waste dDepartment. In cases involving larger volumes of garbage, rubbish and refuse,

the dDirector of the cCity hHealth Director dDepartment may require, upon written notice to an owner or person in charge, more frequent removal and disposal of such accumulations per week. All vehicles used by such private franchised garbage and rubbish haulers shall be provided with equipment to prevent garbage and/or rubbish from blowing out of, falling from or otherwise escaping from such vehicle. Such private franchised garbage and rubbish haulers shall comply with all applicable ordinances of the city and rules and regulations established by the director of the cCity hHealth and Solid Waste dDepartments.

- (3) The condition of the containers utilized to store and/or remove accumulations of garbage and rubbish shall be the responsibility of the container's owner.
- (4) The owner or person having care, custody or control of the premises shall be responsible for keeping containers securely closed at all times.
- removal of accumulations of garbage from other than placed in the containers required under this section shall be gathered together and baled, tied, or sacked in compact bundles and placed in a location easily accessible for the collector. A reasonable amount of material such as scrap lumber and fire wood may be stored on the premises but it shall be racked and stacked eighteen (18) inches above the ground. Any dumpster used for storage and removal of accumulations of garbage from other than single family homes shall be so located as to be within thirty (30) feet of any portion of a structure used as a residence by one (1) or more persons other than the premises being served. In no event shall the container be located less than ten (10) feet from the property line if the abutting property has a single family structure. Such containers shall not be located on public property. The owner of each container shall see that each container is disinfected for all types of insects at least once each week.
- (6) No city employee shall collect refuse located within private property. The collection of refuse shall be made from the street; and the owner, occupant, tenant or lessee of the premises, whether residential or commercial, may place the receptacles for refuse at the driveway entrance or on the parkway near the street. Under most circumstances, refuse containers shall not be placed in the middle of the street for collection.
- (c) Heavy dead animals, such as cows, horses, and mules, shall be removed and disposed of at the expense of the owner or person having $\underline{\text{control}}$ of $\underline{\text{the}}$ same in charge and by $\underline{\text{the}}$ a method directed by the $\underline{\text{eC}}$ ity $\underline{\text{health officer.}}$
- (d) Heavy accumulations such as brush, glass, broken concrete, ashes, sand, dirt or gravel, automobile frames, dead trees, and other bulky, heavy nonputrecible materials shall be disposed of at the expense of the owner or person controlling the same by a method directed by the under the direction of the eCity health officer.
- (e) Manure from cow lots, horse stables, poultry yards, pigeon lofts, and other animal or fowl pens, waste oils from garages or filling stations shall be removed and disposed at the expense of the person

controlling the same in the manner and by the method directed by the eCity health officer.

- (f) Meddling with refuse containers or in any way pilfering, scavenging, scattering contents of containers or junk in any alley or street within the city limits is prohibited.
- (g) The collection of garbage or rubbish of any kind or junk within the city limits is prohibited except as provided for in paragraphs (b) through (f) of this section.
- (h) The following commercial establishments will be excluded from collection by the City. Removal or disposal shall be at the expense of the owner or person having control of same by a method directed by law.
 - (1) Institutional facilities with high-density populations, (i.e. hotels, motels, inns, rooming houses, hospitals, boarding houses, jails, schools, whether private, public or quasi-public).
 - (2) Restaurants, meat markets and other food establishments.
 - (3) Metal waste establishments.
 - (4) Used clothing establishments.
 - (5) Medical and Veterinary clinics.
- (hi) City refuse collection carts.
- (1) Type of approved container. Containers to be used for the pickup of garbage and rubbish shall be ninety-six (96), sixty-seven (67) or forty (40) gallon two-wheeled refuse collection carts provided and owned exclusively by the eCity. Each container will bear a unique serial number that will be assigned to each dwelling or business unit. All containers shall remain the property of the City of Laredo and shall not be removed from the property on which the dwelling or business unit is located without the written consent of the dDirector of public works Solid Waste.
- (2) Disposal in refuse collection carts required. For single-family dwellings, and multifamily dwelling, or business units, it is unlawful to dispose of any garbage or rubbish material anywhere in the city except through placement of such material in the type of approved cart described in subsection 14-3(h)(1) and placed for collection as herein prescribed. The fee for such collection at single-family, and multifamily dwelling or business units shall be such as are set from time to time—by the eCity eCouncil.
- (3) Collection services. All refuse collection carts at single-family dwellings, and multifamily dwellings, or business units comprised of two (2) or less units shall be picked up at curbside, unless otherwise authorized by the dDirector of public works. Solid Waste. The refuse collection carts shall be placed in a manner readily accessible for collection immediately

behind the curb (i.e., on the parkway) at the street or at the alley lot line, as designated by the dDirector of public works—Solid Waste no earlier than 7:00 p.m. on the day preceding the day on which collection is scheduled and no later than 7:006:30 a.m. on the day of collection. The empty carts shall be removed as soon as possible but, in no event later than 7:00 p.m. on the day of collection.

- (4) Additional refuse collection carts. If a household <u>customer</u> requires more than one (1) refuse collection cart, an additional cart may be requested for a fee of seven dollars (\$7.00) per month.
- (5) Uncovered garbage. It is unlawful to place or permit to remain anywhere in the city any garbage, refuse or other material subject to decay other than leaves or grass, and other than recyclable material placed in a recycling bag, and other than that placed in a city refuse collection cart. All refuse collection carts must be placed for collection with the lid closed. If the lid does not close, the garbage will not be picked up.
- (6) Replacement of city refuse collection carts. The cost to replace a damaged, misplaced, or stolen cart shall be fifty dollars (\$50.00) unless a police report is filed indicating that the cart has been stolen.
- (7) Maintenance of city refuse collection carts. All city refuse collection carts shall be kept clean and washed out as often as necessary so that they will remain in a sanitary condition. Evidence of neglect of these requirements or of damage to the carts shall be determined by the eCity health iInspector, and the carts will either be repaired or replaced by the customer of such premises at the customer's expense.
- (8) Unlawful damage to city refuse collection carts. Except as authorized by the eCity eCouncil, it shall be unlawful for any person, firm or corporation to remove, from a residential or a commercial premises at which it is located, or to damage, any city refuse collection cart.
- (9) Penalty for violation. The person, firm or corporation violating any provisions of this section shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during which the violation occurs or continues to occur.

Sec. 14-4. Same--Disposal.

- (a) The disposal of garbage and rubbish municipal solid waste shall be by an approved method of incineration, not open burning, or by landfill and daily cover, or by other means as directed by the eCity health officer.
- (b) All refuse emptied at the <u>a</u> municipal solid waste facility refuse disposal grounds shall become the property of the city and scavenging, scattering, collecting, pilfering the refuse in any way is prohibited except by written permission from the city health officer.

Sec. 14-5. Throwing or depositing of waste materials upon public ways or property or private premises.

It shall be unlawful for any person to throw or deposit any glass, broken ware, dirt, rubbish, garbage, filth, yardwaste, heavy brush or litter upon any public way or property or private premise within the city limits.

Sec. 14-6. Vehicles transporting refuse to be covered.

- (a) Any vehicle, other than an automobile or a pickup truck not exceeding six thousand (6,000) pounds or having not more than two (2) axles, used to transport refuse municipal solid waste in any of the streets or alleys within the corporate limits of the city shall be fitted with a good substantial cover thereon. The covering shall be of wood, metal or canvas and shall be so closely fitted as to prevent the escape or flying about of any of the refuse.
- (b) Any person using or driving any vehicles, other than the exceptions stated in subsection (a) for the transportation of garbage within the city limits without the same being fitted with covering, as described in subsection (a), shall be guilty of an offense and upon conviction shall be punished as provided in section 1-6 of this Code.

Sec. 14-7. Inspections.

It shall be the duty of the ecity hHealth Director eOfficer or his authorized agent, and he is hereby directed, to make all necessary inspections and investigations of any and all premises to see that the terms of this chapter are complied with.

Sec. 14-8. Conflict with other ordinances or regulations.

This chapter shall be cumulative of all other sanitary ordinances or regulations of the city, unless in conflict with the terms of such ordinances and regulations, in which case the terms of this chapter shall prevail.

ARTICLE II. RATES FOR GARBAGE AND REFUSE COLLECTION AND LANDFILL OPERATIONS

Sec. 14-9. Rates.

(a) Service fee for individual residences. A monthly garbage collection fee (service fee) of eight dollars and fifty cents (\$8.50) will be charged to individual residences inside the city limits and will be charged on the monthly water utility bill from the City wutilities system Department to the building or premises on which the individual residence or residences, if more than one (1), is or are located. In addition to this minimum collection fee, a monthly state and federal recycling program mandate fee of four dollars and twenty-five cents (\$4.25) will be charged to individual residences inside the city limits and will be charged on

the monthly <u>water</u> utility bill from the <u>City uUtilities system Department</u> to the building or premises on which the individual residence or residences, if more than one (1), is or are located.

These flat fees will apply to each and every and all residential units, regardless of the type of residential structure. For example, in the case of multifamily structures, such as duplexes or apartment houses, each residential unit therein will be charged the flat fee of eight dollars and fifty cents (\$8.50) for the garbage collection fee and four dollars and twenty-five cents (\$4.25) for the mandate fee.

No rate adjustments will be made for temporary nonuse of service unless the water meter is disconnected. Nonpayment of the garbage collection fee and mandate fee shall be sufficient grounds for discontinuance of water service. The monthly collection fee of eight dollars and fifty cents (\$8.50) and mandate fee shall apply to each church, to each clergy residence, and to each church and clergy residence as a single billing unit if both are located on the same premises. Such service will be billed monthly with the water and sewer service charge of the City uUtilities system Department, and in those instances where the monthly bill of water and sewage from the City uUtilities system Department is a multiresidential structure, the service fee of the city will be based on the number of individual residences in the structure, and the person or party responsible for paying the water and sewage charge will likewise be responsible for paying the monthly garbage collection fee and mandate fee based on the number of individual residences on the premises.

The mandate fee increase of four dollars and twenty-five cents (\$4.25) will be set-aside deposited in the sSolid wWaste management fFund.

- (b) Collection by the <u>City aUtilities system Department</u>. The <u>City aUtilities system Department</u> is hereby authorized to serve as the entity to collect the monthly garbage collection fee (service fee) and mandate fee provided for in subsection (a) of this section.
- (c) [Definition.] "Commercial establishment" as used in this section shall mean any structure or premises other than residential structures as defined in subsection (b) of this section and shall include the following:
 - (1) All retail, wholesale and industrial business establishments;
 - (2) All office buildings;
 - (3) Professional businesses and service businesses;
 - (4) Fraternal organizations, public or private clubs, associations or organizations, and whether profit or nonprofit;
 - (5) All other charitable and/or tax-supported organizations;
 - (6) Church-related hall or church-related school, whether on the same or on different premises as the church to which affiliated;
 - (7) Any and all other type or form of public or private concerns, organizations or institutions not otherwise herein provided for.

- (d) Special service event fee.
- (1) For special events requiring garbage pick-up outside of the normal working criteria, there will be a fee of ninety dollars (\$90.00) per hour based on actual time worked. This fee excludes all City of Laredo sponsored events.
- (2) This fee excludes all City of Laredo sponsored events. When a request is made to search a city refuse truck for personal belongings, the requestor shall be charged ninety dollars (\$90.00) per hour and said fee will not be prorated, but instead rounded up to the nearest hour.
- (e) Fees. A monthly garbage collection fee and mandate fee will be charged to each and every commercial establishment, as defined hereinafter, in accordance with the following fee schedule:
 - (1) For each commercial establishment having up to 1,000 square feet of floor space . . . \$25.00
 - (2) For each commercial establishment having from 1,001 square feet to 3,000 square feet of floor space . . . \$35.00
 - (3) For each commercial establishment having from 3,001 square feet to 10,000 square feet of floor space . . . \$65.00
 - (4) For each commercial establishment having from 10,001 square feet of floor space and over . . . \$95.00
 - (5) Any residence which is being utilized in whole or in part as a commercial establishment or business will be charged as commercial by square footage of the portion of the structure being used for the business.

(f) -- Commercial establishments exclusions.

- (1) Institutional facilities with high-density populations, (i.e. hotels, motels, inns, rooming houses, hospitals, boarding houses, jails, schools, whether private, public or quasi-public).
- --- (2) --- Restaurants and other food establishments.
- (3) Metal waste establishments.
- -----(4) -- Used-clothing establishments.
- (gf) Appeals process.
 - (1) Monthly meetings to formally review contested accounts will consist of a representative from the <u>public works</u> <u>Solid Waste</u> <u>dDepartment</u>, <u>tFinance dDepartment</u>, and <u>planning</u> Environmental <u>dDepartment</u>.

(2) The committee will provide recommendations to the City Manager for who will make the final decision.

(h) Reserved.

 $(\pm \underline{g})$ Mandate fees. State and federal recycling program mandate fees of four dollars and twenty-five cents (\$4.25) will be charged for each of the three (3) tiers of commercial establishments.

The monthly garbage fee and mandate fee as determined from the above fee schedule shall be charged to each and every commercial establishment inside the city limits and will be billed on the monthly water bill from the City eUtilities eDepartment to the building or premises in which the commercial establishment is located. No rate adjustment will be made for temporary nonuse of the garbage collection service unless the water meter to the commercial establishment is disconnected. Nonpayment of the garbage collection fee and mandate fee as provided for herein shall be sufficient grounds for discontinuance of water service.

(jh) Landfill fees. All household and commercial garbage, rubbish, refuse, trash, yard waste, construction demolition debris, sludge from a wastewater treatment plant, water treatment plant, class II and III nonhazardous industrial waste, special waste approved by the Texas Natural Resources Conservation Commission, and other putrescible and nonputrescible waste which may be disposed of by any person shall not be improperly disposed of at any place within the city limits thereof except at such sites as may be designated by the dDirector of public works Solid Waste. Persons desiring to dispose of such solid waste at one (1) of the city's sanitary landfills shall pay the following fees for each vehicle load entereding at the landfill:

(1) Noncommercial vehicles:

- a. Passenger cars, pickups and trailers used by City of Laredo residents transporting less than one (1) ton of household garbage, rubbish, refuse, trash, yard waste or construction demolition waste debris from the resident's home. Residents must show proof of residency with valid Texas drivers' License or Texas I.D. showing the current Laredo address and a current water utility bill showing the same address. Vehicles with out-of-state license plates will be charged as commercial vehicles . . . \$2.00/load
- b. Passenger cars, pickups and trailers used by non-city residents transporting less than one (1) ton of household garbage, rubbish, refuse, trash yard waste or construction demolition waste debris from the resident's home . . \$30.00/ton
- c. Passenger cars, pickups and trailers used by city residents transporting less than one (1) ton of household garbage, rubbish, refuse, trash, yard waste or construction demolition waste debris from the resident's home on Saturdays only. Residents must show proof of residency with valid Texas drivers' or Texas I.D. license showing the current Laredo address and a current water utility bill showing the same

address . . . No charge

(2) Commercial vehicles:

a. Commercial vehicles including pickups, trailers, and compacted vehicles used by private businesses and commercial haulers transporting waste generated from inside the city limits . . . \$30.00/ton

- b. Commercial vehicles including pickups, trailers, and compacted vehicles used by private businesses and commercial haulers transporting waste generated from outside the city limits . \$65.00/\$ton
- c. Commercial vehicles including pickups, trailers, and compacted vehicles used by private businesses and commercial haulers transporting waste generated from outside Webb County . . . \$200.00/ton
- d. Commercial vehicles including pickups, trailers, and compacted vehicles used by private businesses and commercial haulers transporting merchandise required to be destroyed or food products that have been declared unfit for human consumption by a federal or state government agency . \$200.00/ton
- (3) The County of Webb and the incorporated cities within Webb County . . \$30.00/\$ton
- (4) City vehicles except sanitation department . . . $$1.25 \frac{13.50}{10.50}$ ton or current State solid waste fee..
- (5) Tires:
 - a. Passenger tires (up to 19.5 inches rim diameter) \$2.00/\$tire

 - c. Special size tires (greater than 24.5 inches rim diameter) \$100.00/ton
 - d. City residents transporting up to four (4) passenger tires from the resident's home on Saturdays only. Residents must show proof of residency with valid <u>Texas</u> drivers' License or <u>Texas I.D.</u> showing the current Laredo address and a current <u>water</u> utility bill showing the same address
 . . . No charge
- (6) Construction demolition wastes and petroleum-contaminated soil as an alternate daily cover material as per requirements in the landfill permit \$10.00/\$ton

- (7) Surcharge for incoming vehicles not <u>securely</u> covered, <u>or</u> enclosed, or with a good substantial cover tarped to prevent accidental spillage of solid waste material. . . . \$10.00/load
- (8) Credit Account Late fees If payment in full on landfill credit accounts is not made within 60 days of the due date, the customer shall pay an administrative late fee of one hundred dollars (\$100.00).
- (99) The revenues generated from these fees will be set-aside for deposited in the eCity's sSolid wWaste #Fund.
- (*i) Landfill hours. The landfill is open to the public to accept solid waste for disposal services six days a week from Monday through Saturday between the hours of 8:00 a.m. and 5:00 p.m. The landfill is closed on Sundays open on the first Sunday of each month. The landfill is closed to the public during wet weather conditions.

Pickups with a trailer must enter the landfill thirty (30) minutes prior to closing. Persons transporting special waste or loads in van trailers that require manual labor for unloading must call for an appointment.

The <u>eCity</u> will notify all residential, commercial, and industrial customers of suspension of disposal services due to observance of a holiday by local news media forty-eight (48) hours in advance of the holiday being observed.

The eCity may open the landfill for the exclusive use of the eCity at any time so long as such operation is compliant with commission the TNRCC rules.

In the event of an emergency, the <u>eCity</u> may modify the landfill hours so long as such operation is compliant with commission the TNRCC rules.

(1j) Franchise required for collector other than the city. No person or entity, except a duly authorized agent or employee of the city, shall collect garbage or trash of any other person or entity, or convey or transport such garbage or trash on the streets, alleys and public thoroughfares of the city, or dispose of such garbage or trash, for a fee unless and until such person or entity has first obtained a franchise from the city to collect, transport and/or dispose of such garbage or trash. Franchise holders must agree to use only the city municipal solid waste facilities for disposal or processing municipal solid waste and industrial solid waste including but not limited to the city sanitary landfills, and other city municipal solid waste facilities such as transfer stations, to discharge municipal solid waste and industrial solid waste as defined in 30 TAC §330.2. Franchise holders shall pay all landfill fees associated with said use on time. The permit granted to the franchise holder is limited to the facilities normally operated by the City for all municipal solid waste disposal or process. If the City's facilities for any reason are not available for use, either temporarily or permanently, as determined by the City Council of the City of Laredo, or by any prohibited solid waste which cannot be accepted by the facilities, as determined by 30 TAC §330, the City shall be under no

the facilities, as determined by 30 TAC §330, the City shall be under no obligation to furnish to the franchise holder sanitary landfills, or any other municipal solid waste disposing and processing facilities.

- (m) Collection to be from street. No employee of the city shall collect garbage or trash located within private property. The collection of garbage or trash shall be made from the city right of way; and the owner, occupant, tenant or lessee of the premises, whether residential or commercial, may place the receptacles for garbage or trash at the driveway entrance or on the parkway near the street. Under most circumstances, garbage or trash shall not be placed on the street pavement for collection.
- (mk) Exemptions. Upon pProper evidence must be presented to the duly cleated mayor Director of Solid Waste that a commercial establishment is being serviced by a duly franchised garbage collection enterprise. aAn exemption from the fee provisions of subsection (e) of this section shall be granted to the commercial enterprise from that date forward. An administrative fee of \$2.50 per month will be charged to all commercial accounts granted an exemption. An application for Ssuch exemption shall be filed with the with the city secretary and with the dDirector of the department of public works Solid Waste before the exemption can take effect and the exemption will become effective the day the application is approved.

SECTION 2. This ordinance shall become effective not less than Sixty (60) days from the date of introduction and the public hearing held thereof in accordance with the provisions set forth in Section 6.10 of the City Charter.

SECTION 3. This ordinance shall be published in accordance with Section 2.09 (D) of the City Charter.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE DAY OF APRIL 2004.

> ELIZABETH G. FLORES MAYOR

ATTESTED:

Gustavo Guevara City Secretary

Approved as to form: Jaime L. Flores City Attorney

Valeria M. Acevedo, Asst. City Attorney

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COUNCIL COMMUNICATION

DATE:	SUBJECT:	PUBLIC HEARING	AND INTRODUCTION (OF AN ORDINANCE				
03/29/2004	Amending the City Of Laredo fiscal year 2004 Solid Waste Fund Budget by appropriating a draw down of \$241,751.00 from the opening balance and appropriating it for Equipment acquisition. The project consists of one, five wheel loader for landfill operations. The bid pricings includes provisions for a five year maintenance contract and guaranteed repurchase price.							
INITIATED	BY:		STAFF SOURCE:					
Cynthia Colla	na, City Manage zo, Assistant C	ity Manager	Oscar J. Medina, Solid V	Vaste Director				
PREVIOUS	COUNCIL AC	FION:						
None								
	end loader was	s purchased March 30, Department will be rei		buy back of \$162,428. The				
FINANCIAL	/ :							
		Current Annual Budget FY 2004	Proposed Amendment	Amended Budget FY 2004				
Solid Waste I Opening Bala		5,983,877	(241,751)	5,742,126				
Landfill, Capi	tal Outlay							
	•	^	0.41.751	241.751				
Automotive E	•	0	241,751	241,751				
	•		241,751 TAFF RECOMMENDAT					

ORDINANCE 2004-O-

AMENDING THE CITY OF LAREDO FISCAL YEAR 2004 SOLID WASTE FUND BUDGET BY APPROPRIATING A DRAW DOWN OF \$241,751 FROM THE OPENING BALANCE AND APPROPRIATING IT FOR LANDFILL EQUIPMENT ACQUISITION.

WHEREAS, on September 22, 2003, City Council adopted the fiscal year 2004 annual

budget: and

ATTEST:

GUSTAVO GUEVARA, JR.,

CITY SECRETARY

WHEREAS, on March 29, 2004, City Council held a public hearing and introduced this ordinance; and

WHEREAS, in order to provide the funding necessary for cost associated with equipment acquisition for landfill operations this equipment has a buyback and five year maintenance option, the proposed budget amendment is herby proposed

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Solid Waste Fund is hereby amended as follows:

	Current Annual Budget FY 2004	Proposed Amendment	Amended Budget FY 2004
Solid Waste Fund Opening Balance	5,983,877	(241,751)	5,742,126
Landfill Capital Outlay Automotive Equipment	0	241,751	241,751
PASSED BY THE CITY CO			ON THIS
ELIZABETH G. FLORES, MAYOR			

APPROVED AS TO FORM:

JAIME L. FLORES

CITY ATTORNEY

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COUNCIL COMMUNICATION

DATE: SUBJECT: INTRODUCTION OF ORDINANCE Authorizing City Manager to convey on behalf of City of Laredo, as Trustee, Lots 2, 03/29/04 3,4,5,6, & 7, Block 261, Eastern Division, to Laredo Independent School District; such conveyance being for the consideration of \$182,000.00 of which the net proceeds shall be disbursed to the creditor taxing entities in the proportion each entity holds of the Tax Judgment; and providing for effective date. INITIATED BY: **STAFF SOURCE:** LARRY DOVALINA CYNTHIA COLLAZO City Manager **Assistant City Manager** PREVIOUS COUNCIL ACTION: None **BACKGROUND:** Laredo Independent School District expressed its wish to buy the above property near Memorial Middle School from the City. For years City staff believed it owned the property, and had the property appraised and the fair market value is \$182,000.00. However, it transpires that the City owns the property, not itself. but as Trustee for four taxing units, and so the sale will be as Trustee under tax judgment, and the proceeds will be disbursed in accordance with each creditor's proportion of the underlying tax judgment. The tax judgment was dated November 27, 1957 in Cause No. 5346, and subsequently the property was conveyed to the City of Laredo, as Trustee for the judgment creditors by sheriff's deed dated January 7, 1958, which is recorded in Volume 284, pages 55-56, Webb County Deed Records. The sale will be closed at a title company, and the proceeds from the sale, less the cost of title insurance will be distributed to the judgment creditors, in the following percentages. Laredo Community College......1.16%

FINANCIAL IMPACT:

Tax revenue of approximately 64% of \$182,000.00, less title insurance. Proceeds will be deposited into General Fund Account #101-0000-374-1000.

COMMITTEE RECOMMENDATION:	STAFF RECOMMENDATION:
N/A	That the ordinance be introduced for submission for final passage at next council meeting.

ORDINANCE

AUTHORIZING CITY MANAGER TO CONVEY ON BEHALF OF CITY OF LAREDO, AS TRUSTEE, LOTS 2,3,4,5,6 & 7, BLOCK 261, EASTERN DIVISION, TO LAREDO INDEPENDENT SCHOOL DISTRICT; SUCH CONVEYANCE BEING FOR THE CONSIDERATION OF \$182,000.00 OF WHICH THE NET PROCEEDS SHALL DISBURSED TO THE CREDITOR TAXING ENTITIES IN THE PROPORTION EACH ENTITY HOLDS OF THE TAX JUDGMENT; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, Laredo Independent School District seeks to acquire the above property for its appraised fair market value of \$182,000.00; and

WHEREAS, the City of Laredo, as Trustee, acquired the said property by Sheriff's deed dated January 7, 1958, recorded in Volume 284, pages 55-56, Webb County Property Records, on behalf of the taxing entity beneficiaries of a tax judgment pertaining to the property; and

WHEREAS, the taxing entity beneficiaries of the underlying tax judgment in Cause No. 5346 dated November 27, 1957, were Laredo Community College, Laredo Independent School District, Webb County and the City of Laredo; ;and,

WHEREAS, pursuant to the Tax Code, the City, as Trustee, agrees to sell the said property to Laredo Independent School District for its appraised value of \$182,000.00 and to distribute the net proceeds from the sale to judgment creditors in the proportion that each creditor has of the judgment;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

- 1. It authorizes the City Manager to convey, on behalf of the City of Laredo, as Trustee, to Laredo Independent School District, for the sum of \$182,000.00 the following property: Lots 2,3,4,5,6 & 7, Block 261, Eastern Division, by warranty deed in the form attached as Exhibit 1; and
- 2. It authorizes the City Manager to disburse the net proceeds of the sale to the taxing entities which are beneficiaries of the underlying judgment in the following percentages: Laredo Community College (1.16%), Laredo Independent School District (7.5943%), Webb County (17.1412%), and City of Laredo (64.1045%); and
- 3. This Ordinance shall become effective upon passage thereof.

PASSED AND APPROVED BY LAREDO ON THIS THE DAY OF	THE CITY COUNCIL OF THE CITY OF APRIL, 2004
	ELIZABETH G. FLORES
ATTEST:	Mayor
GUSTAVO GUEVARA City Secretary	
APPROVED AS TO FORM:	
JAIME L. FLORES City Attorney By: ANTHONY C. McGETTRICK Asst. City Attorney	

WARRANTY DEED

Date:	June	,	2003
		7	

Grantor: CITY OF LAREDO, TRUSTEE [for benefit of the tax judgment creditors in Cause No. 5346 dated November 27, 1957, being Laredo Community College, Laredo Independent School District, Webb County and City of Laredo], pursuant to sheriff's deed dated January 7, 1958, recorded in Volume 284, pages 55-56, Webb County Deed Records, and. by authority of Ordinance No.

Grantor's Mailing Address (including county):

1110 Houston

Laredo, Webb County, Texas 78040

Grantee: LAREDO INDEPENDENT SCHOOL DISTRICT

Grantee's Mailing Address (including county):

1702 Houston

Laredo, Webb County, Texas 7804

Consideration: The sum of Ten and No/100 (\$10.00) Dollars, and other valuable consideration to the undersigned in hand paid to Grantor by the Grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

Lots Number Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7), in Block Number Two Hundred Sixty One (261), in the Eastern Division of the City of Laredo, Webb County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

Any and all restrictions, encumbrances, oil and gas leases, easements, covenants and conditions, if any, relating to the herein-above described real property as the same are filed for record in the County Clerk's Office of Webb County, Texas,

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL, AND CONVEY to Grantee the herein-above described real property, and any improvements located thereon, together with all and singular the rights and appurtenances thereto in any wise belonging, TO HAVE AND TO HOLD it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, successors and/or assigns to WARRANT AND FOREVER DEFEND all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.



When the context requires, singular nouns and pronouns include the plural.

The consideration for the sale of this property was disbursed to the judgment creditors in the following percentages: Laredo Community College (1.16%), Webb County (17.1412%), Laredo Independent School District (7.5943%) and City of Laredo (64.1045%)

CITY OF LAREDO, TRUSTEE

	By: Larry Dovalina City Manager
STATE OF TEXAS	§
COUNTY OF WEBB	§
April, 2004, by Larry Do corporation, on behalf of judgment creditors in Cau	ras acknowledged before me on this the day of ovalina, City Manager of the City of Laredo, a municipal said corporation, as Trustee for benefit of the tax use No. 5346 dated November 27, 1957, pursuant to ary 7, 1958, recorded in Volume 284, pages 55-56, Web
	Notary Public, in and for State of Texas.

After recording return to

Sigifredo Perez, III Kazen, Meurer & Perez 1619 Matamoros Laredo, Texas 78040

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COUNCIL COMMUNICATION

DATE:	SUBJECT: INTRODUCT				
03/29/04	Authorizing City Manager to (1) convey Benavides Street between Davis and Main Avenues and (2) to convey Garcia Street between San Dario and San Eduardo Avenues, subject to retention of easements for existing utilities on said street sections and (3) to sign a Licensing Agreement whereby LISD may use indefinitely a 20' wide section of Davis Avenue of 0.0291 acres adjacent to Blocks 255 and 274, Western Division, City of Laredo, County of Webb, Texas, as a parking adjunct to MacDonnell School.				
INITIATED BY:		STAFF SOURCE:			
LARRY DOVALINA		CYNTHIA COLLAZO			
City Manager		Assistant City Manager			
PREVIOUS COU		s closed by Ordinance No. 2002-O-269 dated October 21,			
	negotiations, and on 10-20-20	2002-O-271 dated October 21, 2002. On 7-21-2003 003 council meeting on 10-20-2003 authorized city manager			
BACKGROUND:	Under the terms of the 12-23-	-2003 interlocal agreement,			
1. L.I.S.D. will acc McDonnell schools	-	street sections in connection with construction at Bruni and			
` '		Main Avenues [in connection with McDonell School] San Eduardo Avenues [in connection with Bruni School]			
costs incurred by C		ities, and provision for responsibility of LISD for any keep of the city's utilities, as a result of improvements to ns; and			
2. License from City City to terminate or		Pavis Avenue as part of the school property, subject to right of			
	Continue	ed next page.			
FINANCIAL IMP	PACT: Unknown at this time				
COMMITTEE DI	ECOMMENDATION:	STAFF RECOMMENDATION:			
COMMITTEEN		That the ordinance be introduced for submission for final passage at next council meeting.			

BACKGROUND: CONTINUATION FROM PAGE 1.

Above items 1 and 2 are the subject of this ordinance.

And, in return for the conveyance of (1), above, and license (2), above by the City to LISD, the school district has

- 1. Relocated the sanitary sewer and storm sewer lines located in the Garcia Street section, to LISD property and will provide easements to the City for the relocated lines after this ordinance is passed; and
- 2. Will deliver deeds to the following properties, which L.I.S.D. held as Trustee, from tax cases:
- (a) Lots 3, 4, 5, 6 and 7, Block 909, Eastern Division
- (b) Partial Block 2105, Eastern Division
- (c) All of Block 2168, Eastern Division
- (d) Partial Block 2175, Eastern Division [called Lot 5]
- (e) Lots 7 and 8, Block 1889, Eastern Division
- (f) Lot 8, Block 246, Eastern Division

ORDINANCE

AUTHORIZING CITY MANAGER TO (1) CONVEY BENAVIDES STREET BETWEEN DAVIS AND MAIN AVENUES AND (2) TO CONVEY GARCIA STREET BETWEEN SAN DARIO AND SAN EDUARDO AVENUES, SUBJECT TO RETENTION OF EASEMENTS FOR EXISTING UTILITIES ON SAID STREET SECTIONS AND (3) TO SIGN A LICENSING AGREEMENT WHEREBY LISD MAY USE INDEFINITELY A 20' WIDE SECTION OF DAVIS AVENUE OF 0.0291 ACRES ADJACENT TO BLOCKS 255 AND 274, WESTERN DIVISION, CITY OF LAREDO, COUNTY OF WEBB, TEXAS, AS A PARKING ADJUNCT TO MACDONELL; PROVIDING FOR EFFECTIVE DATE

WHEREAS, Laredo Independent School District sought to acquire sections of Garcia Street and Benavides Street for improvements to be made to Bruni and Macdonell schools; and,

WHEREAS, on October 21, 2002 by Ordinance No. 2002-0-269 the section of Benavides Street between Davis and Main Avenues was closed, and on same date the section of Garcia Street between San Dario and San Eduardo Avenues; and

WHEREAS, on July 21, 2003 the city council authorized the city manager to negotiate an interlocal agreement with Laredo Independent School District on these and related matters; and

WHEREAS, on October 20, 2003, the city council authorized the city manager to sign the negotiated interlocal agreement; and

WHEREAS, on December 23, 2003, the interlocal agreement was signed by the City of Laredo and Laredo Independent School District; and

WHEREAS, this ordinance has been prepared so that the city may perform the part of the agreement relating to the conveyances required of the city, and to the license agreement to be executed by the parties.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

- 1. It authorizes the City Manager to convey the former section of Benavides Street between Davis and Main Avenues in the form attached hereto as Exhibit 1 and reserving therein easements as described in Exhibits A,B,C and D of Exhibit 1; and
- 2. It authorizes the City Manager to convey the former section of Garcia Street between San Dario and San Eduardo Avenues in the form attached hereto as

Exhibit 2 and reserving therein easements as described in Exhibits A,B,C,D and E of said Exhibit 2; and

- 3. It authorizes the City Manager to execute the license agreement with Laredo Independent School in the form and content attached hereto as Exhibit 3, whereby the school district may indefinitely use the section of Davis Avenue described therein for vehicular parking in conjunction with Macdonell School; and
- 4. This Ordinance shall become effective upon passage thereof.

PASSED A	ND APF	ROVED	BY	THE	CITY	COUNCIL	OF	THE	CITY	OF
LAREDO ON THIS	S THE $_$	DAY	OF.	APRIL	., 2004					

ELIZABETH G. F	LORES	
Mayor		

ATTEST:

GUSTAVO GUEVARA City Secretary

APPROVED AS TO FORM:

JAIME L. FLORES

City Attorney

ANTHONY C. McGETTRICK

Asst. City Attorney

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03-29-04	SUBJECT: INTRODUCTORY ORDINANCE Authorizing the City Manager to convey to the Laredo Independent School District, for the consideration of \$19,300.00, a tract of land being the section of Plum Street between Logan and Tilden Avenues, with reservation of the tract as a drainage and utility easement; and providing for effective date.				
INITIATE	ED BY:	STAFF SOURCE:			
Larry Dova	llina	Angelo Ferrazzano			
City Manager		Real Estate Manager			
None.	S COUNCIL ACTION:				
campus, in between Lo	Independent School District is in	the process of expanding Tarver Elementary School et requests the City to sell them that part of Plum Street			
and utility	easement, as staff stated to be nece	ue to the City retaining the entire parcel as a drainage ssary, the selling price is reduced by 50% to			
and utility \$19,300.00	easement, as staff stated to be nece	ssary, the selling price is reduced by 50% to			

ORDINANCE

AUTHORIZING THE CITY MANAGER CONVEY TO THE LAREDO INDEPENDENT SCHOOL DISTRICT, FOR THE CONSIDERATION OF \$19,300.00, A TRACT OF LAND BEING THE SECTION OF PLUM STREET BETWEEN LOGAN AND TILDEN AVENUES, WITH RESERVATION OF THE TRACT AS A DRAINAGE AND UTILITY EASEMENT; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the Laredo Independent School District is in the process of expanding the Tarver Elementary School campus; and

WHEREAS, in that regard, the Laredo Independent School District has requested that the City of Laredo sell to it the above-referenced section of Plum Street between Logan and Tilden Avenues which was closed by City Council with the passage of an ordinance dated October 16, 1975; and

WHEREAS, the said parcel has been appraised at the value of \$38,600.00; and

WHEREAS, it is in the best interest of the City of Laredo to convey the above-referenced parcel to the Laredo Independent School District while reserving to the City an easement for all utilities over the entire parcel, with reduction in price for the tract by 50% to \$19,300.00 in view of that reservation of the drainage and utility easement over the entire tract.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

1. It authorizes the City Manager to convey to Laredo Independent School District, for the sum of \$19,300.00 that section of Plum Street between Logan and Tilden Avenues, which is described by metes and bounds on Exhibit A and shown on survey Attached as Exhibit B, but reserving in the conveyance the entire tract as a drainage and utility easement.

2. This Ordinance shall become effective upon passage thereof.

PASSED BY THE CITY COUNCIL AN THIS THE DAY OF MARCH,	
	ELIZABETH G. FLORES MAYOR
ATTEST:	
GUSTAVO GUEVARA, JR CITY SECRETARY	
APPROVED AS TO FORM: JAIME L. FLORES CITY ATTORNEY	
By: ANTHONY C. McGETTRICK ASST. CITY ATTORNEY	



CITY OF LAREDO ENGINEERING DEPARTMENT

METES AND BOUNDS DESCRIPTIONS FOR PLUM STREET RIGHT-OF-WAY (LOGAN AVENUE – TILDEN AVENUE)

A TRACT OF LAND CONTAINING 15,433.46 sq. ft. (0.3543 of an Acre), out of the Plum Street right-of-way between the east right-of-way line of Logan Avenue and the west right-of-way line of Tilden Avenue, Eastern Division, as per the City of Laredo Original Land Grant recorded in Volume 7, Page 15, Webb County, Texas, Plat Records; said 15,433.46 sq. ft. tract of land being more particularly described by metes & bounds as follows:

BEGINNING at a set ½" diameter iron rod for the northwest corner of Block No. 360, Eastern Division, City of Laredo, Webb County, Texas, for the **POINT-OF-BEGINNING** and southwest corner hereof;

THENCE, North, along the east right-of-way line of Logan Avenue, also being the west boundary line of this tract of land, a distance of 55.56 feet to a set ½" diameter iron rod on the north right-of-way line of Plum Street, also being the southwest corner of Block No. 377, Eastern Division, City of Laredo, Webb County, Texas, for the northwest corner hereof;

THENCE, East, along the south boundary line of said Block No. 377, also being the north right-of-way line of Logan Avenue, and the north boundary line of this tract of land, a distance of 277.78 feet to a set ½" diameter iron rod on the west right-of-way line of Tilden Avenue, also being the southeast corner of said Block No. 377, for the northeast corner hereof;

THENCE, South, along the west right-of-way line of Tilden Avenue, also being the east boundary line of this tract of land, a distance of 55.56 feet to a set ½" diameter iron rod on the south right-of-way line of Plum Street, also being the northeast corner of said Block No. 360, for the southeast corner hereof;

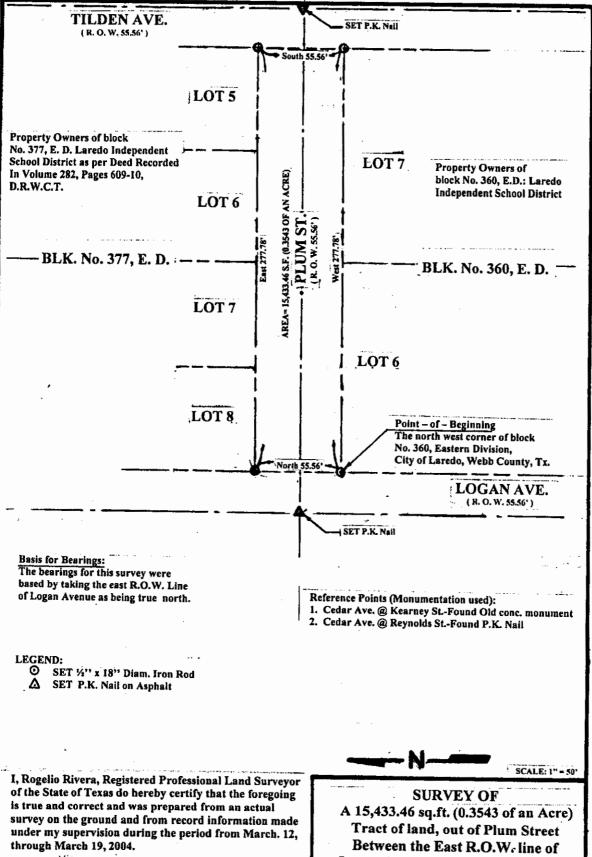
THENCE, West, along the north boundary line of said Block No. 360, also being the south right-of-way line of Plum Street and the south boundary line of this tract of land, a distance of 277.78 feet to the **POINT-OF-BEGINNING** of this tract of land, containing 15,433.46 sq. ft. of land in the Eastern Division of the City of Laredo, Webb County, Texas.

WITNESS my hand and seal this 19th day of March, 2004.

LIO RIVERA D. R.P.L.S. Texas No. 3052

P.O. BOX 579

LAREDO, TEXAS 78040



Rogelio Rivera P. E.
Texas R.P.L.S. No. 3052

2052

CITY OF LAREDO
Engineering Department
1110 HOUSTON ST. LAREDO, TX. 78040

A 15,433.46 sq.ft. (0.3543 of an Acre)
Tract of land, out of Plum Street
Between the East R.O.W. line of
Logan Avenue and the West R.O.W.
Line of Tilden Avenue.
EASTERN DIVISION
CITY OF LAREDO
WEBB COUNTY, TEXAS.

	BY:	DATE:
DRAWN:	J. SANCHEZ	03-16-2004
CHECKED:	R. R. RAMIREZ	03-16-2004

	COUNCIL C	OMMUNICATION	······································
DATE:	SUBJECT: INTRODUCTIO		
	, ,	o execute a Foreign-Trade Zone O	
B-29-04	•	Zone Grantee of Foreign-Trade Zo	•
		te Operator, for approximately one	
	1 -	load, Foreign-Trade Zone Site 8 fo	` ′ •
į	(and ending on February 28, 2007.	•
	r ·	stration and transaction fees be pa	id to the City;
	providing for an effective date.		
		COLUMN TO COLUMN TO THE COLUMN	Y 7 171
INITIATED BY:	•	STAFF SOURCE:	
	Assistant City Manager		Airport Director
DDEXIOUS ACT	TON: On Falance 10 2002 G	tr. Connail ammoral a tames - 1	
	· · · · · · · · · · · · · · · · · · ·	ty Council approved a temporary b	oundary modification
application to the i	Foreign-Trade Zones Board.		
		ured specialized area, in or adjaces	
		ns Territory of the United States. 1	
1	· ·	vith no duty paid on the foreign me	
	Zone for domestic consumption.	If the merchandise is exported, no	duties are paid to
U. S. Customs.			
Transmaritime Inc	owns approximately twenty th	ree (23) acres located at 22219 Mi	nes Road and in close
-	olumbia Solidarity Bridge.	rec (23) acres rocated at 2221) Wi	nes Road and in close
	olumbia dolidarity Bridge.		
l Transmaritime, Inc	c., will be required to post a FTZ	Operators Bond with the U. S. Cu	stoms Service in the
-	· ·	ification Bond (Grantee/Operator)	
	•	Z No. 94, as Obligee, as well as pr	
	•	the benefit of the City of Laredo,	•
Laredo as addition		and deficite of the only of Barbary,	and maining the city of
FINANCIAL: Th	ne Operations Agreement provide	es the following fees:	
		l activation in the amount of two c	ents (\$0.02) per square
′	space with a minimum of \$500		` / L
	-	065 (Annual Administration Fee o	of three cents (\$0.03)
per		•	• /
-	ctivated space), and		
•	ž ,·	0-361-1065, for the following U. S	. Customs transaction
(00.011.00.01		U	

STAFF RECOMMENDATION:

Transmaritime, Inc.

Recommend that the City Manager be authorized to execute a Foreign-Trade Zone Operations Agreement with

(CF 214, CF 216 or their equivalent).

Advisory Committee recommends approval.

COMMITTEE RECOMMENDATION: The Airport

AN ORDINANCE

AUTHORIZING THE CITY MANAGER TO EXECUTE A FOREIGN-TRADE ZONE OPERATIONS AGREEMENT BETWEEN THE CITY OF LAREDO, AS ZONE GRANTEE OF FOREIGN-TRADE ZONE NO. 94, AND TRANSMARITIME, INC., AS ZONE SITE OPERATOR, FOR APPROXIMATELY ONE (1) ACRE OF ACTIVATED SPACE LOCATED AT 22219 MINES ROAD, FOREIGN-TRADE ZONE SITE 8 FOR THREE (3) YEARS COMMENCING ON MARCH 1, 2004 AND ENDING ON FEBRUARY 28, 2007. SAID AGREEMENT PROVIDES THAT ACTIVATION, ADMINISTRATION AND TRANSACTION FEES BE PAID TO THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Airport Director recommends that the City Council approve the proposed Foreign-Trade Zone Operations Agreement between the City of Laredo, as Zone Grantee of Foreign-Trade Zone No. 94, and Transmaritime, Inc., as Zone Site Operator, for approximately one (1) acre of activated space located at 22219 Mines Road, Foreign-Trade Zone Site 8 for three years commencing on March 1, 2004 and ending on February 28, 2007, as a contract and in furtherance of the development of the Laredo International Airport and as a support to the maintenance and operation of the Laredo International Airport;

WHEREAS, said contract is in the best interest of the Airport and recommends that the City Council of the City of Laredo approve the proposed Foreign-Trade Zone Operations Agreement; and

WHEREAS, the City Council of the City of Laredo agrees with same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The City Manager be and is hereby authorized to execute a Foreign-Trade Zone Operations Agreement between the City of Laredo, Zone Grantee of Foreign-Trade Zone No. 94 and Transmaritime, Inc., as Zone Site Operator, for approximately one (1) acre of activate space located at 22219 Mines Road, Foreign-Trade Zone Site 8 for three (3) years commencing on March 1, 2004 and ending on February 28, 2007, a copy of which contract is attached hereto as Exhibit A, and incorporated herein as if set out at length.

Section 2: This Ordinance shall become effective upon passage hereof.

FOREIGN-TRADE ZONE OPERATIONS AGREEMENT BETWEEN THE CITY OF LAREDO AND TRANSMARITIME, INC.

ELIZABETH G. FLORES MAYOR

VALERIA M. ACEVEDO

ASSISTANT CITY ATTORNEY

			·	
		•		
	·			

\$556.00 (231.45 purchase the "Su		ntioned parcel at the total market value of \$556.00. 00-374-1101.
\$556.00 (231.45	rface Only" of the above me	ntioned parcel at the total market value of \$556.00.
Memorandums w	a recent appraisal report, the	tments and utility companies and no objections were a market value of the above mentioned parcel is dis. Hernandez has accepted the City's offer to
of this parcel. City		equest and recommends the closing and conveyance sible, and if approved by the City Council, will be in inge Thoroughfare Plan.
consider selling h of Green Street b improvements loo	er a 231.45 sq. ft. (5' x 46.2 etween Stone and Loring Av cated on the public right-of-w	k 714, Eastern Division, has requested that the City 9') parcel of land, more or less, out of the 1300 block venues, which is being encroached upon by the vay. Ms. Hernandez is experiencing a hardship in use of a title defect caused by the encroachment.
	olution No. 95-O-019 authori roachments onto public right	zes the sale and/or lease of street right-of-way in t-of-way create undue legal and financial hardships
PREVIOUS COU None.	NCIL ACTION:	
1	sst. City Manager Real Estate Manager	
INITIATED BY: CYNTHIA COLLA	170	STAFF SOURCE: ANGELO FERRAZZANO
	or less, out of the 1300 Avenues, said parcel of larthe abutting property being County of Webb, describe the "Surface Only" of said authorizing the City Management of the City Managem	nent a 231.45 sq. ft. (5' x 46.29') parcel of land, more block of Green Street between Stone and Loring and is being encroached upon by the improvements of g Lot 9, Block 714, Eastern Division, City of Laredo, and in attached "Exhibit A" and authorizing the sale of a parcel of land at the market value of \$556.00 and ger to execute all necessary documents to effectively a Patricia Hernandez and providing for an effective
DATE: 03/29/2004	1 SUBJECT: INTRIBUTE	CIRT CIRTINANGE

Recommends introduction of this Ordinance.

N/A

ORDINANCE

CLOSING AS A PUBLIC EASEMENT A 231.45 SQ. FT. (5' X 46.29') PARCEL OF LAND, MORE OR LESS, OUT OF THE 1300 BLOCK OF GREEN STREET BETWEEN STONE AND LORING AVENUES, SAID PARCEL OF LAND IS BEING ENCROACHED UPON BY THE IMPROVEMENTS OF THE ABUTTING PROPERTY BEING LOT 9, BLOCK 714, EASTERN DIVISION, CITY OF LAREDO, COUNTY OF WEBB, DESCRIBED IN ATTACHED "EXHIBIT A" AND AUTHORIZING THE SALE OF THE "SURFACE ONLY" OF SAID PARCEL OF LAND AT THE MARKET VALUE OF \$556.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTIVELY CONVEY FEE SIMPLE TITLE TO PATRICIA HERNANDEZ AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 2, 1995, City Council passed Resolution No. 95-R-019 incorporating into the Street Closing/Sales Policy Handbook, as Section 8, specific provision for the sale and/or lease of street right-of-way where encroachments upon public right-of-way are in existence and authorizing the City Manager, by a separate ordinance to execute all necessary documents for the conveyance; and

WHEREAS, Patricia Hernandez has requested that the City consider the conveyance of a 231.45 sq. ft. (5' x 46.29') parcel of land, more or less, out of the 1300 block of Green Street between Stone and Loring Avenues being encroached upon by the improvements of the abutting property being Lot 9, Block 714, Eastern Division, City of Laredo, County of Webb, Texas; and

WHEREAS, said encroachment is causing undue hardship to the owner attempting to clear title defects to her property in order to convey her property to a potential buyer; and

WHEREAS, based on an appraisal report submitted on the abutting property being Lot 9, Block 714, Eastern Division, by a certified real estate appraiser, the market value of the above-mentioned parcel of land has been determined to be \$556.00; and

WHEREAS, the Real Estate Division has processed the request and finds that the closing and conveying of the above-mentioned parcel is in accordance with the provisions of the Street Closing/Sales Policy Handbook, as amended; and

WHEREAS, Patricia Hernandez is willing and able to purchase the abovementioned parcel of land at the market value of \$556.00; and,

WHEREAS, the City Council finds that it is in the best interest of the City of Laredo to close as a public easement the above mentioned parcel out of the 1300 block of Green Street between Stone and Loring Avenues and authorize the City Manager to execute all documents to effectively convey fee simple title to Patricia Hernandez.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

- 1. A 231.45 sq. ft. (5' x 46.29') tract of land, more or less, out of the 1300 block of Green Street between Stone and Loring Avenues being encroached upon by the improvements of the abutting property being Lot 9, Block 714, Eastern Division, City of Laredo, County of Webb, Texas, described in attached "Exhibit A", is hereby closed as a public easement.
- 2. That the sale of the "Surface Only" of said parcel of land at the market value of \$556.00 is hereby authorized.
- 3. The City Manager is hereby authorized to execute all necessary documents to effectively convey fee simple title to Patricia Hernandez.
- 4. This ordinance shall become effective upon passage thereof.

PASSED BY THE CITY COUN ON THIS THE DAY OF _	CIL AND APPROVED BY THE MAYOR, 2004.
ATTEST:	ELIZABETH G. FLORES Mayor
GUSTAVO GUEVARA, JR. City Secretary	
APPROVED AS TO FORM: Jaime L. Flores City Attorney	

ANTHONY MCGETTRICK

Asst. City Attorney

LEGAL DESCRIPTION 231.45 SQUARE FEET (0.0053 ACRES) CITY OF LAREDO WEBB COUNTY, TEXAS 10-09-03

A parcel of land containing 231.45 square feet (0.0053 Ac.) more or less, being out, within and part of the Green Street Right-of Way limits, Eastern Division, according to the City of Laredo Plat Book Records, Webb County Texas; this 231.45 square foot (0.0053 Ac.) parcel of land being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at the northwest corner of lot 9, block 714, Eastern Division, City of Laredo, being the intersecting point of the south Right-of-Way line of said Green Street with the east Right-of Way line of Stone Avenue, with said northwest corner being the southwest corner of this parcel of land.

THENCE North, 5.00 feet, along the west fence line of this parcel of land, to the northwest corner hereof;

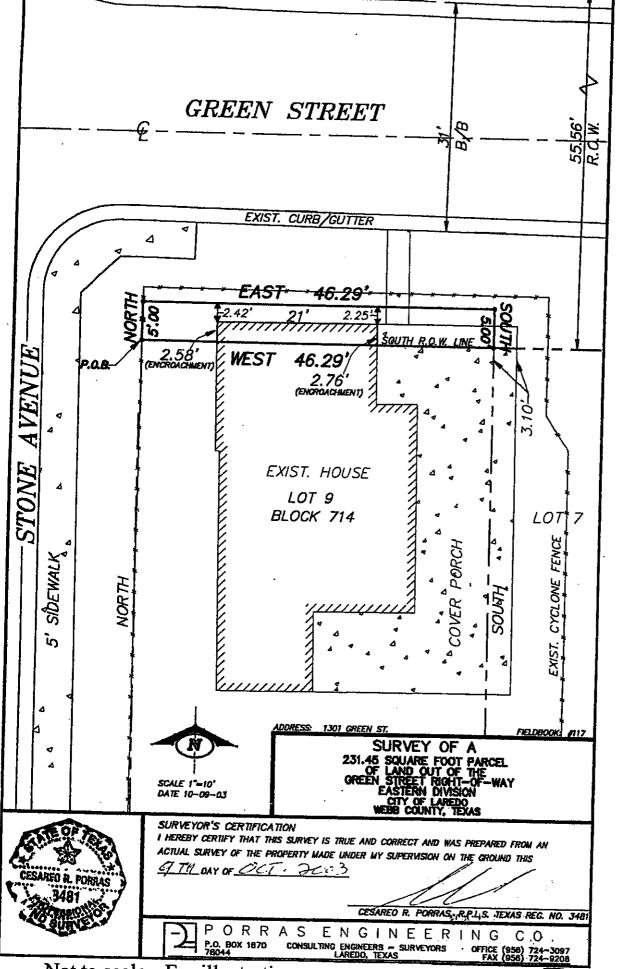
THENCE East, 46.29 feet, along the north fence line of this parcel of land, to the northeast corner hereof;

THENCE South, 5.00 feet, being along the east boundary line of this parcel of land, to a point on the south Right-of-Way boundary line of aforesaid Green Street and the southeast corner hereof;

THENCE West., 46.29 feet, along said south boundary line of said Green Street, same line being the north boundary line of a foresaid lot 9, block 714, also being the south boundary line of this parcel of land to the POINT OF BEGINNING.

Cesareo R. Porras P.E., R.P.L.S.





Not to scale - For illustration purposes only.

Proposed Street Closure.



DATE: 03/29/2004

SUBJECT: INTRODUCTION OF ORDINANCE

SETTING THE MAXIMUM SPEED LIMIT ON THAT PORTION OF FM 1472 WITHIN THE CITY LIMITS OF LAREDO, WEBB COUNTY, TEXAS, FROM 50 MPH TO 45 MPH FROM MILEPOINT 14.2 TO MILEPOINT 13.9 AND FROM 55 MPH TO 45 MPH FROM MILEPOINT 13.9 TO 13.8 AS DEFINED IN THE TEXAS DEPARTMENT OF TRANSPORTATION CONTROL SECTION MAP 2150-04-040, TO BE IN EFFECT DURING CONSTRUCTION PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNS TO INDICATE SPEED CHANGES IN THE DESIGNATED AREAS AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

INITIATED BY:

STAFF SOURCE:

Larry Dovalina, City Manager

Roberto Murillo, P.E., Traffic Safety Director

PREVIOUS COUNCIL ACTION: None.

BACKGROUND:

The Texas Department of Transportation is requesting construction speed changes on FM 1472 to improve traffic flow and safety during reconstruction for a section of roadway. The scope of this work consists of:

Lengthening the left turn lane along FM 1472 (heading Northbound) at Interamerica Boulevard, and adding a right turn lane along FM 1472 (heading Southbound) at Interamerica Boulevard.

The project limits for this work are as follows:

FM 1472 from MP 13.8 to MP 13.9

(MP 13.8 is 660 feet South of the intersection of Muller Blvd. with FM 1472/Mines Rd.) (MP 13.9 is 430 feet North of the intersection of Interamerica Blvd. with FM 1472/Mines Rd.) and FM 1472 from MP 13.9 to 14.2

Upon approval of this ordinance, TxDOT will be responsible for the installation of the new speed limit signs to be in effect during construction of the roadway. Speed limits revert back to the original speed limits upon completion of project.

FINANCIAL IMPACT: None.

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATION:

Staff recommends introduction of this ordinance.

INTRODUCTORY ORDINANCE

SETTING THE MAXIMUM SPEED LIMIT ON THAT PORTION OF FM 1472 WITHIN THE CITY LIMITS OF LAREDO, WEBB COUNTY, TEXAS, FROM 50 MPH TO 45 MPH FROM MILEPOINT 14.2 TO MILEPOINT 13.9 AND FROM 55 MPH TO 45 MPH FROM MILEPOINT 13.9 TO 13.8 AS DEFINED IN THE TEXAS DEPARTMENT OF TRANSPORTATION CONTROL SECTION MAP 2150-04-040, TO BE IN EFFECT DURING CONSTRUCTION PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNS TO INDICATE SPEED CHANGES IN THE DESIGNATED AREAS AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, V.A.T.C.S., Texas Transportation Code 545.356(b) authorizes the City Council to alter the speed limits of any highway or street within the incorporated area of the City; and

WHEREAS, The Texas Department of Transportation (TXDOT) is requesting construction speed zone limit changes of 45 MPH, for FM 1472 southbound lanes, to be in effect during construction of the section of roadway; and

WHEREAS, TxDOT will be responsible for the installation of speed limit signs on FM 1472 to designate the new speed limits to be in effect during construction of roadway; and

WHEREAS, the implementation of speed limit changes on the existing FM 1472 is a positive step in securing the safety of our citizens during construction of the roadway; and

WHEREAS, the Federal Highway Administration has mandated that all construction speed limit changes be enforced; and

WHEREAS, the City Council of the City of Laredo supports TxDOT's efforts to request the construction speed limit changes on FM 1472 and is of the same opinion;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

- SECTION 1: That the maximum speed limit on that portion of FM 1472 within the city limits of Laredo, Webb County, Texas from 50 MPH to 45 MPH from milepoint 14.2 to milepoint 13.9 and from 55MPH to 45 MPH from milepoint 13.9 to milepoint 13.8 as defined in the TxDOT control section map 2150-04-040, to be in effect during construction;
- **SECTION 2:** The City Manager and the Chief of Police be and are hereby authorized to take the necessary steps to carry out this ordinance;
- **SECTION 3:** This ordinance shall be published one time in an official newspaper in the City of Laredo:

SECTION 4: This ordinance shall take effect at expiration of thirty (30) days after adoption, provided there has been publication as provided in Section 2.09 (D) of the Laredo City Charter, and shall supersede any prior ordinance for the sections described.

Elizabeth G. Flores Mayor
Attest:
Gustavo Guevara, Jr. City Secretary

1817 BOB BULLOCK LOOP • LAREDO, TX 78043 • (956) 712-7400 FAX (956) 712-7401

February 26, 2004

Mr. Roberto Murillo, P. E. Traffic Safety Director City of Laredo 2800 E. Saunders Laredo, TX 78041

RE: Temporary Construction Speed Zoning

County: Webb Highway: FM 1472 City: Laredo

Control Sec: 2150-04-040, etc

Dear Mr. Murillo:

As per our previous conversation, attached is the "Request for Construction Speed Zone" form requesting construction speed changes. The construction speed zone that shall govern for the roadway shall be as follows:

Reduce from 50 MPH to 45 MPH from Milepoint 14.2 to Milepoint 13.9

Reduce from 55 MPH to 45 MPH from Milepoint 13.9 to Milepoint 13.8

Please submit this request to the City Council during your next meeting so that you may proceed to have a city ordinance passed. It should be stated in the ordinance that the speed change is in effect only during construction and will terminate when construction is finished. Please include the speed zone as defined here in your ordinance, and upon approval, please provide us with a copy of the city ordinance for our files.

If further clarification is needed, please call Randy Aguilar at (956)712-7744.

Sincerely

Danny Magee, P. E.

Director Transportation Operations

Attachment

cc Jose L. Delapass, Laredo Maintenance Supervisor

Larry Dovalina, City Manager, City of Laredo

Route: Guillermo Dougherty, E.I.T., Transportation Operations

Randy Aguilar, Transportation Operations



Request for Construction Speed Zone

County: Webb

Form 1204 (Rev. 3/2001) Page 1 of 2

District: Laredo (22)

Highway No	o.: FM 1472			Pre-Con	struction Posted S	peed: <u>50 s</u>	156	MPH
Direction*: Southerly			Proposed Construction Speed**: 45 MPH					
** If the wor	rk zone speed mu	st be lowered	i more th	an 10 mph b	milepoint to end noted with the posted specific specific to the posted specific work Zeron work zer	beed, attach c	locument nits.	ation
Net Length	of Each Section C	utside of Inc	orporated	l Cities:			•	
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DATE:	SUBJECT: FINAL READING OF ORDINANCE 2004-O-054
03/29/2004	Final Reading of Ordinance 2004-O-054 adopting a budget for fiscal year 2004 for the South Texas Regional 911 System Fund. The proposed budget consists of \$1,015,921 in revenues from the Commission in State Emergency Communications and \$1,015,921 in expenditures for the following counties: Webb (City of Laredo) County, Jim Hogg County, Starr County, Zapata County and Regional System.

INITIATED BY:

STAFF SOURCE:

Larry Dovalina, City Manager

Rosario C. Cabello, Finance Director

Cynthia Collazo, Assistant City Manager

PREVIOUS COUNCIL ACTION:

A reimbursement resolution 2003-R-0866 was adopted on July 7, 2003.

A public hearing and an introduction of this ordinance will be held on March 1, 2004.

BACKGROUND:

The City of Laredo approved Resolution 2003-R-066 requesting that the Texas Commission on State Emergency Communications (CSEC) designate the City of Laredo as the administrator of the Region's 9-1-1 Emergency Communication System. On February 4, 204 meeting of the Commission on State Emergency Communications designated the City of Laredo as the Administrator for the Region's 9-1-1 System

FINANCIAL:			
	Annual Budget FY 2004	Proposed Amendment	Amended Budget FY 2004
	South Texas Re	gional 911 System Fund	
Revenues:			
Commission on State			
Emergency Communication	0	1,015,921	1,015,921
Expenditures:			
Jim Hogg County	0	49,044	49,044
Starr County	0	254,609	254,609
Zapata County	0	69,542	69,542
Regional	0	40,968	40,968
Webb (City of Laredo)	0	446,854	446,854
City of Laredo-			
Administrator	0	154,904	154,904
COMMITTEE RECOMMI	ENDATION:	STAFF RECOMMEND	ATION:
		Conduct Final Reading of	f Ordinance 2004-O-054

ORDINANCE 2004-O-054

FINAL READING OF ORDINANCE 2004-O-054 ADOPTING A BUDGET FOR FISCAL YEAR 2004 FOR THE SOUTH TEXAS REGIONAL 911 SYSTEM FUND. THE PROPOSED BUDGET CONSISTS OF \$1,015,921 IN REVENUES FROM THE COMMISSION IN STATE EMERGENCY COMMUNICATIONS AND \$1,015,921 IN EXPENDITURES FOR THE FOLLOWING COUNTIES: WEBB (CITY OF LAREDO) COUNTY, JIM HOGG COUNTY, STARR COUNTY, ZAPATA COUNTY AND REGIONAL SYSTEM.

WHEREAS, on September 22, 2003, City Council adopted the fiscal year 2004 annual

budget: and

WHEREAS, on March 1, 2004, City Council held a public hearing and introduced this ordinance; and

WHEREAS, in order to adopt a budget for the operation of the South Texas Regional 911 System Fund; and

WHEREAS, the Commission on State Emergency Communication (CSEC) named the City of Laredo as the Administrator of the South Texas Regional 911 System, the proposed budget amendment is hereby proposed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: South Texas Regional 911 System Fund is hereby amended as follows:

	Annual Budget FY 2004	Proposed Amendment	Amended Budget FY 2004
Revenues: Commission on State			
Emergency Communication	0	1,015,921	1,015,921
Expenditures:			
Jim Hogg County	0	49,044	49,044
Starr County	0	254,609	254,609
Zapata County	0	69,542	69,542
Regional	0	40,968	40,968
Webb (City of Laredo) City of Laredo -	0	446,854	446,854
Administrator	0	154,904	154,904

PASSED BY THE CITY COUNCIL AN THE DAY OF	D APPROVED BY THE MAYOR ON THIS, 2004.
ELIZABETH G. FLORES,	
MAYOR	
ATTEST:	APPROVEDAS TO FORM:
GUSTAVO GUEVARA, JR., CITY SECRETARY	S CITY ATTORNEY

DATE:	SUBJECT: FINAL READING ORDINANCE NO. 2004-O-055
3/29/04	AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO'S FY 2003-2004 FULL TIME EQUIVALENT POSITIONS BY RECLASSIFYING THREE FIREFIGHTER POSITIONS TO THREE FIRE CAPTAIN POSITIONS FOR THE FIRE SUPPRESSION DIVISION, EMS DIVISION AND THE FIRE PREVENTION DIVISION IN THE FIRE DEPARTMENT. FUNDING FOR THESE POSITIONS IS AVAILABLE IN THE GENERAL FUND RESERVE APPROPRIATION ACCOUNT IN THE AMOUNT OF \$27,651.

INITIATED BY: STAFF SOURCE: Larry Dovalina, Luis Sosa,

PREVIOUS COUNCIL ACTION: On March 1, 2004 City Council directed staff to proceed with the proposed amendments.

Fire Chief

BACKGROUND: Due to an increase in the growth of the department and the reorganization of the above mentioned positions, these positions are needed to offset overtime and acting rank costs in our salaries budget.

Current Positions 1 Fire Chief	Proposed Positions 1 Fire Chief	Increase/Decrease 0
1 Assistant Fire Chief	1 Assistant Fire Chief	0
1 Fire Marshal	1 Fire Marshal	0
2 Deputy Chiefs	2 Deputy Chiefs	0
14 District Chiefs	14 District Chiefs	0
58 Captains	61 Captains	+3
49 Drivers	49 Drivers	0
48 Assistant Drivers	48 Assistant Drivers	0
158 Firefighters/Cadets	155 Firefighter/Cadets	-3
332 Positions	332 Positions	

FINANCIAL IMPACT:

City Manager

Position will be funded from the General Fund Reserve Appropriation Account in the amount of \$27,651.

<u>Position</u>	Bi-Weekly Salary	<u>Total</u>
Captains (3)	\$2,894.00 X 3 \$2.185.00 x 3	\$8,682.00 \$6,555.00
Firefighter (3)	Φ2,103.VU X 3	\$6,555.00

(3) Captains - (3) Firefighters = \$2,127.00 (difference on salaries) X 13 pay periods = \$27,651.

CON	MMITTEE	RECOMMEND	ATTON.

STAFF RECOMMENDATION:

That City Council approve this Final Reading as presented.

ORDINANCE NO. 2004-O-055

AUTHORIZING THE CITY MANAGER TO AMEND THE CITY OF LAREDO'S FY 2003-2004 FULL TIME EQUIVALENT POSITIONS BY RECLASSIFYING THREE FIREFIGHTER POSITIONS TO THREE CAPTAIN POSITIONS FOR THE FIRE SUPPRESSION DIVISION, EMS DIVISION AND THE FIRE PREVENTION DIVISION IN THE FIRE DEPARTMENT. FUNDING FOR THESE POSITIONS IS AVAILABLE IN THE GENERAL FUND RESERVE APPROPRIATION ACCOUNT IN THE AMOUNT OF \$27,651.

WHEREAS, on March 1, 2004, City Council held a public hearing and introduced this ordinance; and

WHEREAS, in order to provide the framework and structural organization to conduct the necessary functions and operations within the above mentioned division, and therefore, secure the viability and success of its programs to the community at a local level.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

The City of Laredo Fire Department FY 2003-2004 Budget authorized personnel are amended as follows:

Current Positions	Proposed Positions	Increase/Decrease
1 Fire Chief	1 Fire Chief	0
1 Assistant Fire Chief	1 Assistant Fire Chief	0
1 Fire Marshal	1 Fire Marshal	0
2 Deputy Chiefs	2 Deputy Chiefs	0
14 District Chiefs	14 District Chiefs	0
58 Captains	61 Captains	+3
49 Drivers	49 Drivers	0
48 Assistant Drivers	48 Assistant Drivers	0
158 Firefighters/Cadets	155 Firefighter/Cadets	-3

332 Positions 332 Positions

PASSED BY THE CITY COUNCIL AN DAY OF	ND APPROVED BY THE MAYOR ON THIS , 2004.
	ELIZABETH G. FLORES, MAYOR
APPROVED AS TO FORM:	ATTEST:
JAIME FLORES, CITY ATTORNEY	GUSTAVO GUEVARA, JR., CITY SECRETARY

DATE:		G OF ORDINANCE #2004-O-056		
	Closing as a public easement that section of the Mier Street between McDonnell and			
03/29/2004		n the Eastern Division, City of Laredo, County of Webb,		
	Texas; and providing for an e	ffective date.		
INITIATED BY:		STAFF SOURCE:		
CYNTHIA COLLAZ	,	ANGELO FERRAZZANO		
Asst. City Manager		Real Estate Manager		
2551/01/2 2011	OU A OTION			
PREVIOUS COUN		the Oil Coursell		
On March 1, 2004 t	this ordinance was introduced b	by the City Council.		
BACKGROUND:				
		c easement the above-mentioned street section. This		
		closed for many years and is being used as part of the		
		aff has researched and has not found any record of a		
		and conveyed by the City of Laredo to the Laredo		
		title defect to the school district's properties caused by		
		close and subsequently negotiate the exchange or sale		
of said street with L	.ISD.			
l linon closing of sai	d street section, the City of Lar	edo will retain all necessary utility easements now		
		closing is approved by the City Council, staff will initiate		
		the above-mentioned street section to LISD.		
i negotiations with Li	OD for the exchange of sale of	the above-mentioned street section to Liob.		
On February 19, 20	004 a public bearing was held l	pefore the Planning and Zoning Commission. Property		
		oposed street closing and no objections were noted.		
	ning Commission voted in favor			
'''' ''''' ''''' '''''' ''''''	g 	o, the proposed closing,		
On February 25, 20	04. a memorandum was provid	ded to the Street Closing Committee members with the		
above information.	,	•		
FINANCIAL IMPACT:				
None.				
COMMITTEE RECOMMENDATION:		STAFF RECOMMENDATION:		
N/A		Staff recommends passage of this Ordinance.		

ORDINANCE #2004-O-056

CLOSING AS A PUBLIC EASEMENT THAT SECTION OF THAT SECTION OF MIER STREET BETWEEN McDONNELL AND MONTERREY AVENUES SITUATED IN THE EASTERN DIVISION, CITY OF LAREDO, COUNTY OF WEBB, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager recommends that the City Council close as a public easement that section of Mier Street between McDonnell and Monterrey Avenues situated in the Eastern Division, City of Laredo, County of Webb; and

WHEREAS, traffic flow will not be adversely affected by such closing; and,

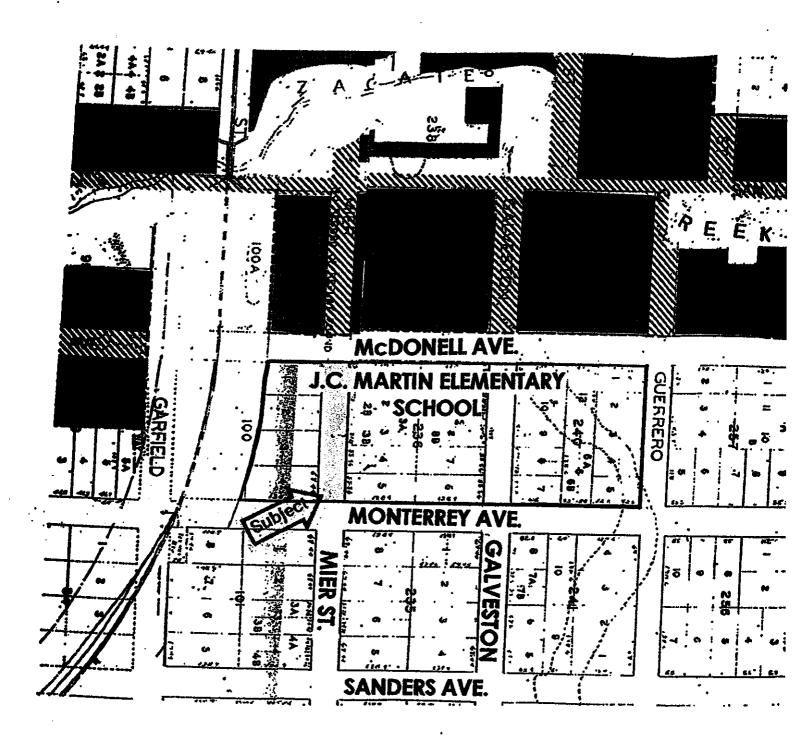
WHEREAS, the Laredo Independent School District is the sole property owner abutting this street section, which has been used as an integrated part of the campus of J. C. Martin, Jr. Elementary School for many years.

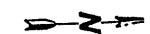
WHEREAS, it is in the best interest of the City that this street section be closed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO:

- 1. That the section of Mier Street between McDonnell and Monterrey Avenues situated in the Eastern Division, City of Laredo, County of Webb; Texas; be and the same is hereby closed as a public easement, provided that the City retains the right to maintain, operate, repair and replace, by itself or by any licensee or a holder of a franchise from the City, any poles, wires, pipes, conduits, sewer mains, or any other facilities or equipment for the maintenance of operation of any utility now located in the street portion hereof closed as a public easement.
- 2. This Ordinance shall become effective as and from the date of passage.

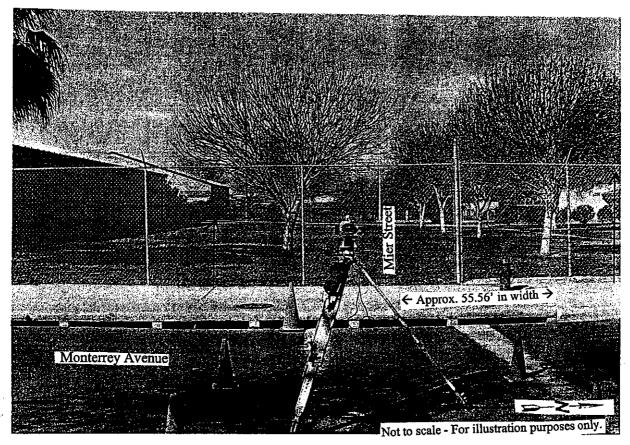
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR		
ON THIS THE DAY OF _	, 2004.	
	ELIZABETH G. FLORES	
	Mayor	
ATTEST:		
OUCTANO OUENABA IB		
GUSTAVO GUEVARA, JR.		
City Secretary		
APPROVED AS TO FORM:		
Jaime L. Flores		
City Attorney // //		
City Auditey		
By: / ////////		
ANTHONY MCGETTRICK		
Asst. City Attorney		



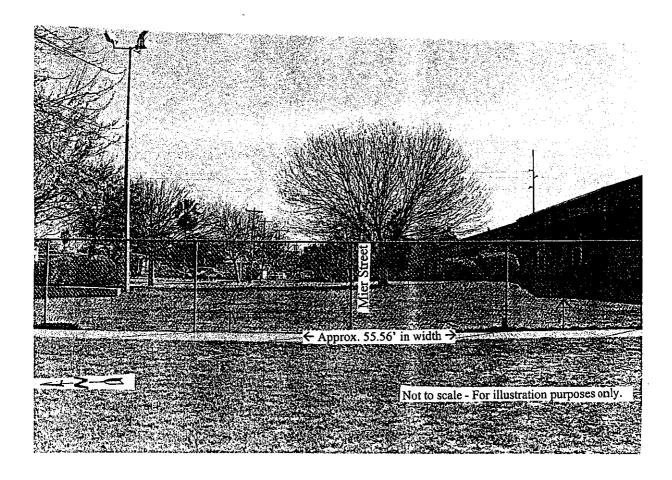


Proposed Street Closure

Mier Street between McDonnell and Monterrey Avenues looking west from Monterrey Avenue.



Mier Street between McDonnell and Monterrey Avenues looking east from McDonnell Avenue.



DATE:	SUBJECT: FINAL READ	DING OF ORDINANCE #2004-O-057	
		nent that section of the 2200 block of Lincoln Street	
03-29-04	between the West right-of-way line of Eagle Pass Avenue and the Lared		
		perty line situated in the Western Division, City of	
		and providing for an effective date.	
INITIATED BY:		STAFF SOURCE:	
CYNTHIA COLLAZO		ANGELO FERRAZZANO	
Asst. City Manager		Real Estate Manager	
		Č	
PREVIOUS COU			
On March 1, 200	4, this ordinance was introdu	uced by the City Council.	
BACKGROUND:			
The City is proposing to close as a public easement the above-mentioned street, which is a			
platted, unopened street, and has not been used as a thoroughfare street for more than 60 years.			
This street is bou	inded on the neith by Lete 2	and A. Block 272 1/ Mostorn Division and on the	
This street is bounded on the north by Lots 3 and 4, Block 373 ½, Western Division and on the south by Lots 5 and 6, Block 681, Western Division. The east side of this street is bounded by the			
west nght-oi-way property line.	ine of Eagle Pass Avenue	and on the west by the Laredo Community College	
property line.			
This street is being	na encroached upon by the	operation of a manufacturing business located on	
adjoining Blocks 681 and 373 ½, Western Division. It is not anticipated that this street will ever be			
open to traffic because it dead ends at the college's property line, fenced with a stone wall. The			
street to the east of this street is closed by the railroad operations.			
	-	·	
The abutting property owner of the above-mentioned street has executed Release Forms			
releasing the City of Laredo from any and all damages arising out of the closing of said street; and			
has shown an int	erest in purchasing the stree	et, should the City approve the closure.	
On February 19	2004, a public hearing was l	held before the Planning and Zoning Commission	
On February 19, 2004, a public hearing was held before the Planning and Zoning Commission. Property owners within a 200' radius were notified of the proposed street closing and no			
objections were noted. The Planning & Zoning Commission voted in favor of the proposed			
closing.	iotod, The Fighting & Zoriii	g commission rotes in layor of the proposed	
··· ·			
On February 25, 2004, a memorandum was provided to the Street Closing Committee members			
with the above information.			
FINANCIAL IMP	ACT:	·	
None.			
COMMITTEE RE	COMMENDATION:	STAFF RECOMMENDATION:	
N/A		Staff recommends passage of this Ordinance.	

ORDINANCE #2004-O-057

CLOSING AS A PUBLIC EASEMENT THAT SECTION OF THE 2200 BLOCK OF LINCOLN STREET BETWEEN THE WEST RIGHT-OF-WAY LINE OF EAGLE PASS AVENUE AND THE LAREDO COMMUNITY COLLEGE PROPERTY LINE SITUATED IN THE WESTERN DIVISION, CITY OF LAREDO, COUNTY OF WEBB, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager recommends that the City Council close as a public easement that section of the 2200 block of Lincoln Street between the West right-of-way line of Eagle Pass Avenue and the Laredo Community College property line situated in the Western Division; and,

WHEREAS, traffic flow will not be adversely affected by such closing; and,

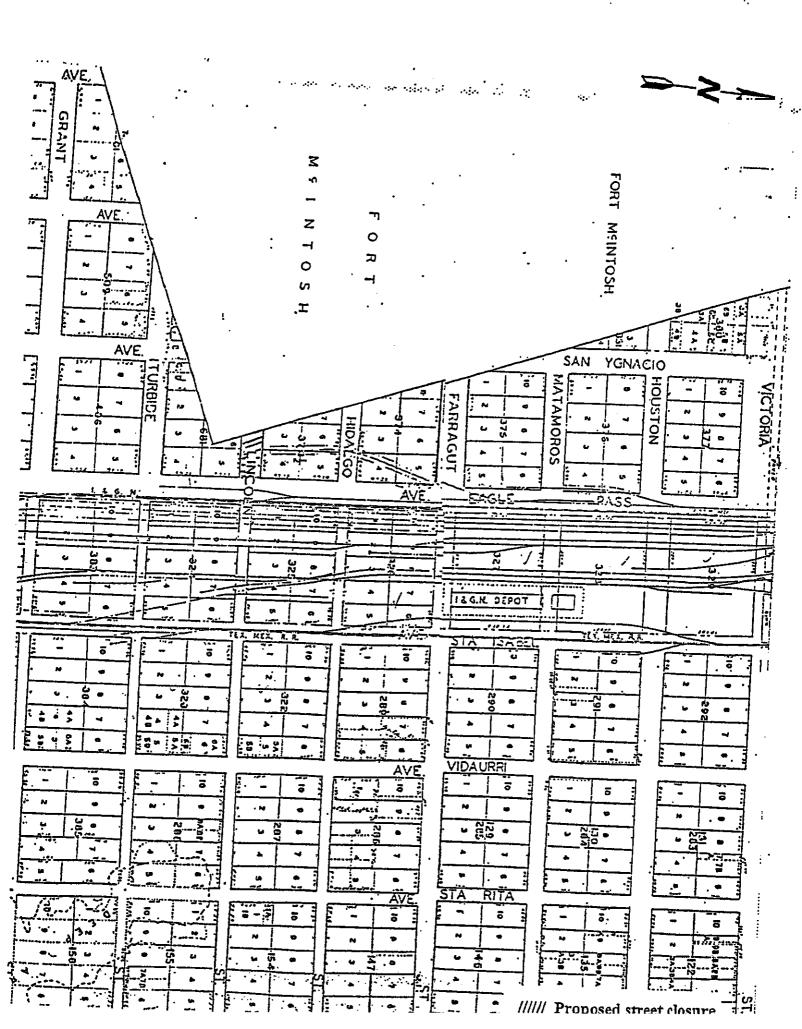
WHEREAS, the abutting property owners of the above-mentioned street have executed Release Forms releasing the City of Laredo from any and all damages arising out of the closing of this street; and,

WHEREAS, the City Council finds that it is in the best interest of the City of Laredo to close as a public easement that section of the 2200 block of Lincoln Street between the West right-of-way line of Eagle Pass Avenue and the Laredo Community College property line situated in the Western Division; City of Laredo, County of Webb, Texas.

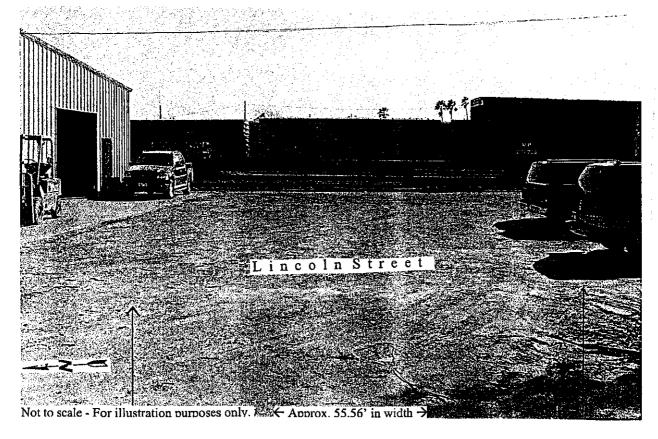
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

1. The 2200 block of Lincoln Street between the West right-of-way line of Eagle Pass Avenue and the Laredo Community College property line situated in the Western Division; City of Laredo, County of Webb, Texas; be and the same is hereby closed as a public easement, provided that the City retains the right to maintain, operate, repair and replace, by itself or by any licensee or a holder of a franchise from the City, any poles, wires, pipes, conduits, sewer mains, or any other facilities or equipment for the maintenance of operation of any utility now located in the street portion hereof closed as a public easement.

2. This Ordinance shall become e	ffective upon passage thereof.
PASSED BY THE CITY COUNCIL ON THIS THE DAY OF	AND APPROVED BY THE MAYOR, 2004.
	ELIZABETH G. FLORES Mayor
ATTEST:	
GUSTAVO GUEVARA, JR. City Secretary	
APPROVED AS TO FORM:	
Jaime L. Flores City Attorney	
By: //s/Muh/h	
ANTHONY MCGETTRICK	
Asst. City Attorney	



2200 block of Lincoln Street between the west right-of-way line of Eagle Pass Avenue and Laredo Community College property line looking east.



2200 block of Lincoln Street between the west right-of-way line of Eagle Pass Avenue and Laredo Community College property line looking west.



DATE:	SUBJECT: FINAL READING OF ORDINANCE 2004-O-058			
	ABANDONING TWO UTILITY EASEMENTS LOCATED IN LOT			
03-29-2004	74 AND IN THE WESTERLY 39.94 FEET OF LOT 73, BLOCK 5,			
		UBDIVISION, UNIT 1, SECTION 1, CITY OF		
	l -	OUNTY, TEXAS, AS SHOWN ON EXHIBIT		
·	"A"; AND PROVIDIN	NG FOR EFFECTIVE DATE.		
INITIATED BY:	1	STAFF SOURCE:		
CYNTHIA COLLAZ	-	KEITH SELMAN CITY PLANNER		
Asst. City Manager	i de la companya de	ANTHONY MCGETTRICK, ASSISTANT CITY		
		ATTORNEY		
PREVIOUS COUN		14-0004		
The ordinance was	introduced by City Council on I	March 1, 2004.		
BACKGROUND:	Mr. David Killam, the owner	of Lot 74 and the westerly 39.94 feet of Lot 73, Block 5,		
·	•	of Laredo, Webb County, Texas requests the City to		
	easements on his property.	or Eurodo, webb county, rexas requests the City to		
i ioundon two utility	cusoments on ms property.			
Staff have confirme	d that no present use of the util	ity easements is being made by the City or will be		
needed by the City.		,		
	ained releases from all of the affected, or possibly affected, utility companies from any re need to use these two easements.			
present or future ne				
		i		
FINANCIAL IMPAC	ET:			
None				
COMMITTEE RECO	OMMENDATION:	STAFF RECOMMENDATION:		
N/A		Recommends introduction of Ordinance.		
		<u> </u>		

ORDINANCE NO. 2004-O-058

ABANDONING TWO UTILITY EASEMENTS LOCATED IN LOT 74 AND IN THE WESTERLY 39.94 FEET OF LOT 73, BLOCK 5, REGENCY PARK SUBDIVISION, UNIT 1, SECTION 1, CITY OF LAREDO, WEBB COUNTY, TEXAS, AS SHOWN ON EXHIBIT "A"; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City has been asked to abandon two utility easements, one of which is in Lot 74 and the other of which is in the westerly 39.94 feet of Lot 73, Block 5, Regency Park Subdivision, Unit 1, Section 1, City of Laredo, Webb County, Texas, a subdivision which was recorded on October 18, 1976, in Volume 3, page 6, of the Plat Records, of Webb County, Texas and the location of said two easements is shown on survey excerpt of Lot 74 and the westerly 39.94 feet of Lot 73 attached to this ordinance as Exhibit "A"; and

WHEREAS, David W. Killam is the owner of the said Lot 74 and the westerly 39.94 feet of Lot 73, and therefore of the property contiguous to the two utility easements proposed to be abandoned; and

WHEREAS, staff have confirmed that said two easements have not been used as easements by the City of Laredo, and will not be needed in the future as easements by the City; and

WHEREAS, the owner of the said Lot 74 and the westerly 39.94 feet of Lot 73 on which the easements are located, has obtained releases from all utilities in the community which might otherwise lay claim to present or future need to use one or both of such easements for the use of any one or more of them, such releases having been obtained from AEP, SBC, Time Warner, Proviron and Centerpoint Energy Entex; and

WHEREAS, the City Council finding that there is no present or future need for such two easements, and that the request of the contiguous owners should be granted.

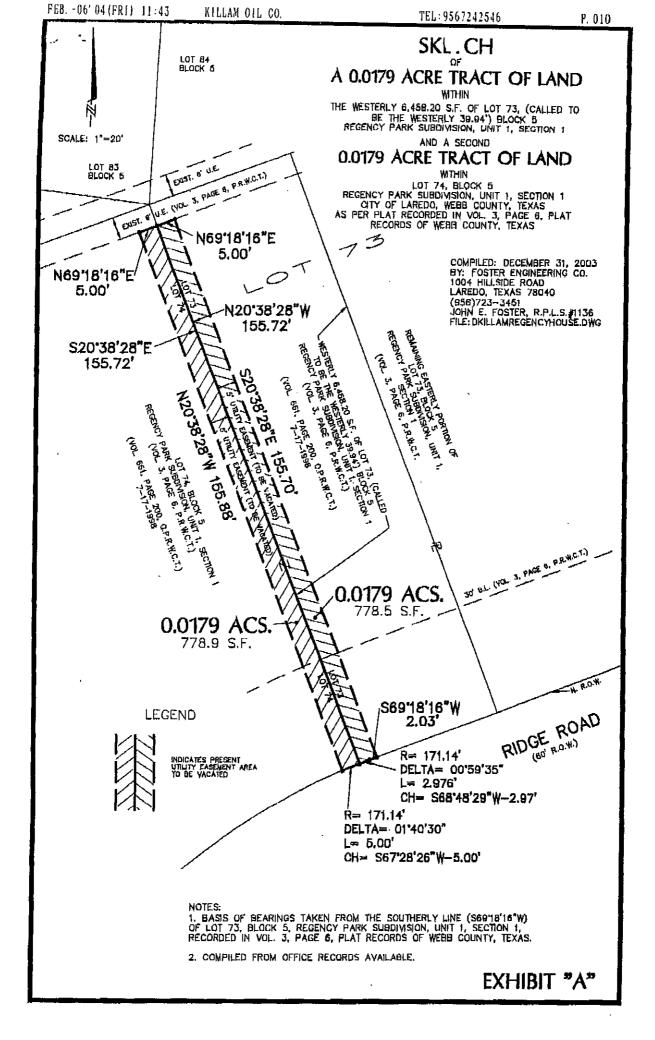
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO, THAT:

- **Section 1**: The City hereby abandons the following two easements which are reflected on Exhibit "A" attached to this ordinance, being an excerpt reflecting two easements from the plat recorded in Volume 3, page 6, Plat Records of Webb County, Texas, namely:
- (A) the 5.00 feet wide utility easement of 0.0179 acre on the western side of, within the westerly 6,458.20 s.f., of Lot 73, (called to be the westerly 39.94 feet), Block 5, Regency Park Subdivision, Unit 1, Section 1, as per plat recorded in Vol.3, page 6, Plat Records of Webb County, Texas; and
- (B) the 5.00 feet wide utility easement of 0.0179 acre within and on the eastern side of Lot

74, Block 5, Regency Park Subdivision, Unit 1, Section 1, as per plat recorded in Vol.3, page 6, Plat Records of Webb County, Texas

Section 2: This ordinance shall be effective as and from the date of passage.

PASSED AND APPROVED BY THE CITY C	OUNCIL OF THE CITY OF LAREDO ON THIS
THE, 2004.	
	ELIZABETH G. FLORES MAYOR
ATTEST:	
GUSTAVO GUEVARA CITY SECRETARY	
APPROVED AS TO FORM:	
JAIME L. FLORES	-
By: Anthony C. McGettrick	
Assistant City Attorney	



CITY COUNCIL COMMUNICATION

DATE: 3-29-04	COMMITTEE", "MOTOR VE DIVISION I "TRANSIT SYSTEM CITY OF LAREDO, THEREBY ROLE OF CITY COUNCIL COMMITTEE; PROVIDING SE EFFECTIVE DATE.	ECTION 541 TO 544, TITLED "TRANSIT HICLES AND TRAFFIC", ARTICLE XII, I", OF THE CODE OF ORDINANCES OF THE CLARIFYING THE APPOINTMENT AND MEMBERS SERVING ON THE TRANSIT EVERABILITY; AND PROVIDING FOR AN
INITIATED		STAFF SOURCE:
	na, City Manager	Thomas N. Lucek, General Manager
PREVIOUS	BOARD ACTION:	
None		
BACKGROU	IND:	
Committee. Tof the Transit manager of the operations of	The Transit Committee shall be a stand Committee will be to provide advice, e transit system, city manager, and cithe city.	and the role of the membership of the Transit ding committee appointed by the Mayor. The duty assistance, and recommendations to the general ty council in matters involving transit system
FINANCIAL	•	
None.		
COMMITTE	E RECOMMENDATION:	STAFF RECOMMENDATION:
	nittee recommended introducing this neeting of February 12, 2004.	Recommends approval of this ordinance.

CITY OF LAREDO ORDINANCE NO. 2004-O- 059

AMENDING CHAPTER 19, SECTIONS 541 TO 544, TITLED "TRANSIT COMMITTEE", "MOTOR VEHICLES AND TRAFFIC", ARTICLE XII, DIVISION I "TRANSIT SYSTEM", OF THE CODE OF ORDINANCES OF THE CITY OF LAREDO, THEREBY CLARIFYING THE APPOINTMENT AND ROLE OF CITY COUNCIL MEMBERS SERVING ON THE TRANSIT COMMITTEE; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council wishes to clarify the composition and the role of the membership of the Transit Committee; and

WHEREAS, the Transit Committee shall be a standing committee appointed by the Mayor.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1. Amendment

The City of Laredo, Code of Ordinances is amended to include the following provisions:

Chapter 19

MOTOR VEHICLES AND TRAFFIC

ARTICLE XII. TRANSIT SYSTEM

DIVISION 1. [GENERALLY] TRANSIT COMMITTEE

Sec. 19-541. Transit Committee----Established

- (a) There is hereby established the transit committee, which shall consist of three (3) members from the City Council appointed by the Mayor. [City Council. Neither the city nor the municipal transit system may currently employ a committee member.]
- [(b) Members of the Transit Committee shall be qualified voters and resident citizens of the city].
 - (b)[(-e)] Members shall serve without compensation.

Sec. 19-542. Same----Organization.

[At its first meeting the transit committee shall organize by electing a chairman, vice-chairman and secretary from its members and]The Transit Committee shall hold an annual election of officers for the purpose of naming the Chairman and Vice-Chairman of the Committee [thereafter]—. The general manager of the transit system shall provide such secretarial and other clerical assistance as the committee may require in the performance of its official duties.

Sec. 19-543. Same-----Duties.

The transit committee shall provide advice, assistance and recommendations to the general manager of the transit system, city manager, and city council [and shall serve as a liaison between the public and the city,] on matters involving transit system operations of the city. [In particular, the Committee shall:

- (a) Inform itself of laws and policies governing municipal transit systems and technologies employed in such operation;
- (b) Provide input to the City on transit system activities and ongoing services with special attention to economy, efficiency, and value to the public;
- (c) Assist in the development of long range plans for transit system activity as appropriate to meet the requirements for population growth;
- (d) Promote and encourage inter-departmental cooperative services.]

Sec. 19-544. Same---- Powers.

The transit committee is hereby empowered to adopt by-laws and other rules governing its own operation and to take such action as may be necessary for the performance of its official duties.

Section 2. Effective Date.

This Ordinance shall become effective upon publication.

PASSED BY THE CITY COUNCID day of, 2004.	L AND APPROVED BY THE MAYOR on this the
	ELIZABETH G.FLORES
ATTEST:	MAYOR
GUSTAVO GUEVARA, JR. CITY SECRETARY	-
APPROVED AS TO FORM:	
Version	
JAIME L. FLORES CITYATTORNEY	

DATE: 03/29/2004

SUBJECT: FINAL READING OF ORDINANCE 2004-O-060

Designating as a one-way northbound the 700 and 800 block of Bartlett Avenue, between Market Street and Guatemozin Street and as a one-way southbound the 700 and 800 block of Malinche Avenue, between Market Street and Guatemozin Street, providing for the installation of appropriate signs to indicate one-way traffic in the designated directions and providing for publication and effective date.

INITIATED BY:

STAFF SOURCE:

Larry Dovalina, City Manager

Roberto Murillo, P.E., Traffic Safety Director

PREVIOUS COUNCIL ACTION:

Introduction of Ordinance approved by City Council on 03-01-04.

BACKGROUND:

Bartlett Avenue will be opened to traffic south of Market Street upon the completion of all street and signing improvements. The designation of the 700 and 800 Block of Bartlett Avene and Malinche Avenue as a one- way pair is needed to provide improved traffic flow through the area. Both Loring Avenue and Jarvis Avenue which already have been approved for closing, had been identified for funding for the installation of railroad warning devices through the Federal Railroad Signalization Program. Funding currently allocated for Loring Avenue will be used to install gate arms at the new Bartlett Avenue crossing. Also, the designation of Bartlett as one way will eliminate the need to have a set of railroad warning devices for each direction.

The Traffic Dept will be responsible for the installation of all appropriate signs to indicate one-way in the designated directions.

FINANCIAL IMPACT:

Funding for the installation of all signs will be obtained from the Bartlett Avenue Improvement Account.

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATION:

Staff recommends that City Council approval of this ordinance.

ORDINANCE 2004-O-060

DESIGNATING AS A ONE-WAY NORTHBOUND THE 700 AND 800 BLOCK OF BARTLETT AVENUE, BETWEEN MARKET STREET AND GUATEMOZIN STREET, AND AS A ONE-WAY SOUTHBOUND THE 700 AND 800 BLOCK OF MALINCHE AVENUE, BETWEEN MARKET STREET AND GUATEMOZIN STREET PROVIDING FOR THE INSTALLATION OF APPROPRIATE SIGNS TO INDICATE ONE-WAY TRAFFIC IN THE DESIGNATED DIRECTION AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the Loring Avenue and the Jarvis Avenue railroad crossings have been approved for closure and a new Bartlett Avenue crossing will be opened that will provide improved traffic circulation in the area and at the same time reduce the number of railroad crossings that will potentially reduce hazards associated with railroad crossings; and

WHEREAS, the City Council authorized the City Manager to execute contract with the Texas Department of Transportation for the reimbursement of \$40,000 for improvements on Bartlett Avenue in exchange for the closure of both Loring Street and Jarvis Street in order to address safety concerns related to the number of existing railroad crossings within the city and at the same time provide improved traffic circulation through the neighborhood; and

WHEREAS, on February 4, 2003 the City Council authorized the City Manager to execute a contract with the Texas Mexican Railway Company through which the City will be reimbursed \$23,000 for materials for the paving of the Bartlett Avenue railroad crossing aimed at reducing the number of railroad crossings; and

WHEREAS, the Traffic Safety Department, after proper analysis, has determined that traffic flow will be improved in the area by the designation of a one-way northbound the 700 and 800 block of Bartlett Avenue and a one-way southbound the 700 and 800 block of Malinche Avenue both between Market Street and Guatemozin Street; and

WHEREAS, the City Council of the City of Laredo is of the same opinion.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

SECTION 1: The 700 and 800 block of Bartlett Avenue, between Market Street and Guatemozin Street, be designated as a one way northbound and the 700 and 800 block of Malinche Avenue, between Market Street and Guatemozin Street, be designated as one-way southbound; and

SECTION 2: The installation and erection of appropriate signs giving notice thereof be and is hereby approved and authorized; and

SECTION 3: The City Manager, Chief of Police, and the Director of Traffic Safety be and are hereby authorized to take the necessary steps to carry out this ordinance; and

SECTION 4: This ordinance shall be published one time in an official newspaper in the City of Laredo and shall be in force and effect from and after the date of such publication.

PASSED	BY	THE	CITY	COUNCIL	AND	APPROVED	BY	THE	MAYOR	ON
THIS			_DAY_		_, 200	4.				

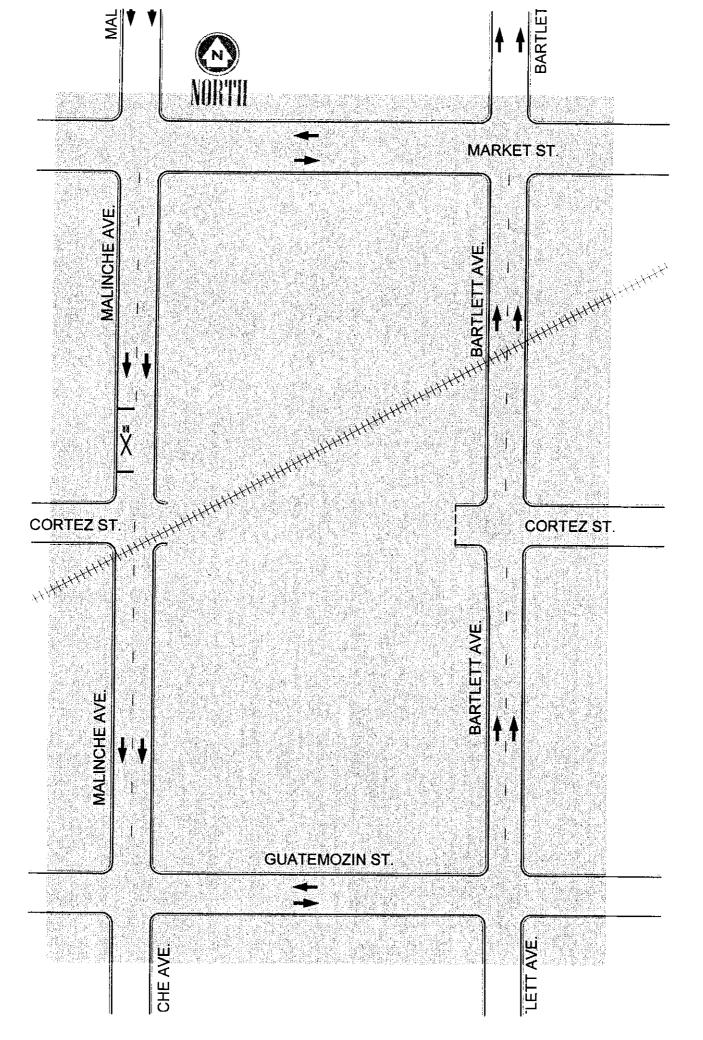
ELIZABETH G. FLORES MAYOR

ATTEST:

GUSTAVO GUEVARA, JR. CITY SECRETARY

APPROVED AS TO FORM: JAIME L. FLORES CITY ATTORNEY

By: MCGRAW
ALLAN W. McGRAW
ASST. CITY ATTORNEY



LAREDO MUNICIPAL HOUSING CORPORATION

DATE:	SUBJECT: FINAL READING OF ORDINANCE 2004-O-061
	AMENDING THE FAR PART 150 AIRPORT NOISE ABATEMENT
	COMPATIBILITY PROGRAM FUND BUDGET FOR FISCAL YEAR 2003-2004
03-29-04	BY APPROPRIATING \$400,000.00 FROM THE BEGINNING FUND BALANCE
	OF \$623,981.00 FOR DEMOLITION COSTS, FOR THOSE PROPERTIES THAT
	ARE NOT FEASIBLE FOR RENOVATION AND AUTHORIZING THE CITY
)	MANAGER TO IMPLEMENT SAID BUDGET AMENDMENT.

INITIATED BY:

Ms. Cynthia Collazo

Assistant City Manager

STAFF SOURCE:

Mr. Erasmo Villarreal

C.D. Director

PREVIOUS BOARD ACTION: On March 1, 2004, City Council introduced this ordinance and instructed staff to proceed with final reading.

BACKGROUND: The City of Laredo's International Airport has contracted LMHC to provide property management services for the properties being purchased by the City of Laredo under FAR Part 150 Airport Noise Compatibility Program.

Rental rates are estimated based on a 8.5% ratio of the appraised value of each property and is leased as soon LMHC makes them ready for tenancy. All expenses incurred in repairing and occupying the vacant properties are paid with the revenues collected from the leasing of the properties. No LMHC funds are used to pay expenses incurred in the leasing of the airport properties.

To avoid any further deterioration or vandalism to the properties and neighborhood, it is imperative that these vacant properties be demolished. The City of Laredo has obtained authorization from the Federal Aviation Administration (FAA) to demolish certain vacant properties within the program.

The targeted properties for demolition are as follows:

 3015 Montgomery
 3101 Lyon

 3201 Frost
 3219 Frost

 3202 Lyon
 3202 Locust

 3119 Travis
 3201 San Jose (rear)

 3111 Ash
 3203 Smith

In addition, a 41-unit apartment complex located at 3201 Travis Street is also targeted for demolition. This complex was also heavily damaged from the June 2003 storm and the cost of the rehabilitation of these units makes it unfeasible to repair due to the fact that the complex is located within the 70 DBL.

Currently, Drash Consulting Engineers and O'Connor Engineering are handling the asbestos survey for the above mentioned properties. Pending the outcome of these surveys, the demolition phase will follow.

FINANCIAL:	Annual Budget	Proposed	Amended Budget
	FY 2004	Amendment	FY 2004
Opening Balance	623,981.00	(400,000.00)	223,981.00
Demolition Costs	-	400,000.00	400,000.00

COMMITTEE RECOMMENDATIONS: None STAFF: Recommends final reading.

ORDINANCE 2004-O-061

AMENDING THE FAR PART 150 AIRPORT NOISE ABATEMENT COMPATIBILITY PROGRAM FUND BUDGET FOR FISCAL YEAR 2003-2004 BY APPROPRIATING \$400,000.00 FROM THE BEGINNING FUND BALANCE OF \$623,981.00 FOR DEMOLITION COSTS, FOR THOSE PROPERTIES THAT ARE NOT FEASIBLE FOR RENOVATION AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT SAID BUDGET AMENDMENT.

WHEREAS, the City of Laredo implemented a voluntary Noise Compatibility Program designed to purchase affected residences at their appraised fair market value, reduce existing noise levels in residences, or purchase aviation easements over residences located within the program designated area.

WHEREAS, the City's of Laredo International Airport contracted with Laredo Municipal Housing to provide property management services for the homes being purchased by the City of Laredo under FAR Part 150 Airport Noise Compatibility Program.

WHEREAS, the City of Laredo has obtained authorization from the Federal Aviation Administration (FAA) to demolish certain properties.

WHEREAS, to avoid any further deterioration or vandalism to the properties and neighborhood, it is imperative that certain properties be demolished.

WHEREAS, all expenses incurred in demolishing certain properties will be paid only through the Airport Noise Abatement Compatibility Program Fund.

NOW, THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1. The City Council approve this budget amendment by amending the City of Laredo's FAR Part 150 Airport Noise Abatement Compatibility Program Fund Budget for fiscal year 2003-2004 by appropriating \$400,000.00 from the beginning fund balance of \$623,981.00 for demolition costs for those properties that are not feasible for renovation.

Section 2. Authorize the City Manager to implement said budget amendment.

PASSED AND APP	ROVED BY THE 2004.	CITY COUNCIL ON THIS THE	DAY OF
		ELIZABETH G. FLORES MAYOR	

ATTEST:

GUSTAVO GUEVARA, JR. SECRETARY

APPROVED AS TO FORM: JAIME L. FLORES, CITY ATTORNEY

BY: VALERIA M. ACEVEDO ASSISTANT CITY ATTORNEY



DATE 03-29-04	SUBJECT: RESOLUTION NO. 2004-R-024 Accepting the donation of a 0.003 of an acre (123.984 sq. ft.) parcel of land, as a permanent easement, from the Ike Alexander Estate, for the Iturbide Street Urban Mall Project. Said parcel of land being out of Lot 10, Block 35, Western Division, City of Laredo, Webb County, Texas.		
INITIATE	D BY:	STAFF SOURCE:	
Cynthia Co		Angelo Ferrazzano	
Assistant C	ity Manager	Real Estate Manager	
PREVIOU None.	S COUNCIL ACTION:		
entails the renhanceme Street, due poles, wate	Laredo is in the process of implement reconstruction of Iturbide Street from the project will result in the beautificate to the installation of patterned color of reconstructions, benches, canopies, and a proceed with the Iturbide Street Urba	enting the Iturbide Street Urban Mall Project, which in Flores Avenue to Juarez Avenue. Said downtown ation of the above-referenced section of Iturbide brick pavement and sidewalks, decorative lighting a mist cooling system. an Mall Project, it is in the best interest of the City of renced land parcel as a permanent easement.	
	AL IMPACT: # 991-0000-161-0000		
COMMIT' N/A	TEE RECOMMENDATION:	STAFF RECOMMENDATION: Staff recommends approval of Resolution.	

RESOLUTION NO. 2004-R-024

ACCEPTING THE DONATION OF A 0.003 OF AN ACRE (123.984 SQ. FT.) PARCEL OF LAND, AS A PERMANENT EASEMENT, FROM THE IKE ALEXANDER ESTATE, FOR THE ITURBIDE STREET URBAN MALL PROJECT. SAID PARCEL OF LAND BEING OUT OF LOT 10, BLOCK 35, WESTERN DIVISION, CITY OF LAREDO, WEBB COUNTY, TEXAS; BEING GENERALLY DESCRIBED BELOW, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON ATTACHED EXHIBIT "A".

WHEREAS, the City of Laredo is in the process of implementing the Iturbide Street Urban Mall Project, which entails the reconstruction of Iturbide Street from Flores Avenue to Juarez Avenue; and

WHEREAS, said downtown enhancement project will result in the beautification of the above-referenced section of Iturbide due to the installation of patterned color brick pavement and sidewalks, decorative lighting poles, water fountains, benches, canopies, and a mist cooling system; and

WHEREAS, in order to proceed with the Iturbide Street Urban Mall Project, it is in the best interest of the City of Laredo to accept the donation of the above-referenced land parcel as a permanent easement, as described on attached Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

A. It hereby accepts the donation of a 0.003 of an acre (123.984 sq. ft.) parcel of land, as a permanent easement from the Ike Alexander Estate., for the Iturbide Street Urban Mall Project. Said parcel of land being out of Lot 10, Block 35, Western Division, City of Laredo, Webb County, Texas; being generally described below, and more particularly described by metes and bounds on attached Exhibit "A".

B. This Resolution shall become	ne effective upon passage thereof.
PASSED BY THE CITY COUNCE THIS, THEDAY OF	IL AND APPROVED BY THE MAYOR ON, 2004.
	ELIZABETH G. FLORES MAYOR
	WATOR
ATTEST:	
GUSTAVO GUEVARA, JR CITY SECRETARY	
APPROVED AS TO FORM: JAIME L. FLORES CITY ATTORNEY	
By: //s/h	
ANTHONY C. McGETTRICK ASST. CITY ATTORNEY	
ADDI. CHI ATTOMICI	

EASEMENT

STATE OF TEXAS

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§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WEBB

8

THE UNDERSIGNED, hereinafter referred to as ("GRANTOR", whether one or more), for and in good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, to Grantor, in hand paid by the CITY OF LAREDO, has GIVEN, GRANTED, SOLD and CONVEYED, and DEDICATED, and by these presents, does GIVE, GRANT, SELL, and CONVEY, and DEDICATE unto the CITY OF LAREDO, a municipal corporation herein referred to as "GRANTEE" for the use, benefit and control of the said CITY OF LAREDO, a permanent easement to construct, reconstruct, inspect, patrol, maintain, repair, remove and replace sidewalks, streets and utilities, and all appurtenant facilities, under, across and upon the lands located in Laredo, Webb County, Texas, and being more particularly described in Exhibit "A" attached and made a part hereof.

Grantee expressly agrees that it will maintain such easement area, at its sole cost and expense, and will at all times provide free and uninterrupted use of such easement, except at such times as the easement is being repaired or replaced.

Grantor shall also have the right of ingress and egress over and along said easement for the purpose of accessing its adjoining property and Grantor expressly covenants and agrees for Grantor, successors and/or assigns, that no building or structure of any kind will be placed on said easement granted herein.

Grantee will indemnify and defend Grantor and hold Grantor harmless from and against any and all claims, liabilities or damages against Grantor caused directly or indirectly by Grantee or Grantee's agents, representatives or employee's actions on or about the easement.

TO HAVE AND TO HOLD the above described easement and rights unto the said Grantee, its successors and assigns, until the use of said easement shall be abandoned.

And Grantor does hereby bind Grantor, Grantor's heirs, legal representatives, successors and/or assigns to warrant and forever defend all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXHIBIT

"A"

G:COREL(JCT) EASEMENT-BLANK EASEMENT-RELN

Samuel A. Meyer -
Maurice M. Alexander Exempt Family Trust
Name: Bonjamin M. Alexander
Roslyn A. Mandel
STATE OF TEXAS §
COUNTY OF WEBB §
This instrument was acknowledged before me on the3rdday ofFebruary
COUNTY OF WEBB §
This instrument was acknowledged before me on the 9 day of
WILLIAM BRUCE BRADLEY NOTARY PUBLIC STATE OF TEXAS G:CORELUICT) EASEMENT- LANK TO SEMENT-RELL NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS

§

COUNTY OF WEBB

This instrument was acknowledged before me on the _3rd__ day of _ February

2004, by Roslyn A. Mandel.



ANA L. GONZALEZ

Notary Public

My Commission Expires

FEB. 08, 2006

EASEMENT 405 CONVENT AVE. METES AND BOUNDS DESCRIPTION

BEING A 0.003ACRE (123.984 SQUARE FEET) TRACT OF LAND OUT OF LOT 10, BLOCK 35, WESTERN DIVISION, CITY OF LAREDO, WEBB COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the Southwest corner of a masonry building Northwest cutback line, said point of beginning lies N 13° 51' 50" E, 12.33 feet of the Southwest corner of said Lot 10;

THENCE, West 2.95 feet to the East right-of way-line of Convent Ave.;

THENCE, North, 40.64 feet along the East right-of-way line on Convent Ave. to a point;

THENCE, East, 3.15 feet to the West wall of said masonry building;

THENCE, S 00° 16' 13" W, 40.64 feet along the West wall of said masonry building to the POINT OF BEGINNING.



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DATE	SUBJECT: RESOLUTION NO. 2004-R-025					
DATE	Accepting the donation of a Drainage Easement from Alexander Residential					
03-29-04	Development, L. P., a Texas Limited Partnership. Said Drainage Easement consisting of					
03-29-04	two tracts, these being:					
	two tracts, these being.					
	Tract I – a 151.00-foot-wide strip of land containing 41,817 square feet or 0.96 acres of					
	land, more or less, out of Porcion 25, Abstract 50, and partly out of Porcion 26, Abstract					
	282, City of Laredo, Webb County, Texas; as described by metes and bounds and survey					
	attached as Exhibits A and B; and					
	Tract II – a 156.00-foot-wide strip of land containing 69,553 square feet or 1.60 acres of					
	land, more or less, out of Porcion 25, Abstract 50, and partly out of Porcion 26, Abstract					
	282, City of Laredo, Webb County, Texas; as described by metes and bounds and survey					
	attached as Exhibits C and D.					
INITIATE	D BY: STAFF SOURCE;					
Cynthia Col						
Assistant Ci	-					
	S COUNCIL ACTION:					
None.	5 COUNCIL ACTION.					
BACKGRO	OUND:					
The owners crossing De	of the D & J Alexander Subdivision desire to construct a channel to connect the culvert of Mar Boulevard to the existing channel in the Subdivision. The construction of said alleviate the diversion of the storm water into the channel.					
Chamier with	anovided the diversion of the storm water into the channel.					
In order to r	proceed with the construction of a channel to connect the culvert crossing Del Mar					
_	o the existing channel in the D & J Alexander Subdivision, it is in the best interest of the					
	edo to accept the donation of the above-referenced parcel of land as a Drainage Easement,					
-	I in attached Exhibits A and B, as to Tract I, and in attached Exhibits C and D, as to Tract					
II.						

STAFF RECOMMENDATION:

Staff recommends approval of Resolution.

FINANCIAL IMPACT:

N/A

Land. Acct. 991-0000-161-0000

COMMITTEE RECOMMENDATION:

RESOLUTION NO. 2004-R-025

ACCEPTING THE DONATION OF A DRAINAGE EASEMENT FROM ALEXANDER RESIDENTIAL DEVELOPMENT, L. P., A TEXAS LIMITED PARTNERSHIP. SAID DRAINAGE EASEMENT CONSISTING OF TWO TRACTS, THESE BEING:

TRACT I – A 151.00-FOOT-WIDE STRIP OF LAND CONTAINING 41,817 SQUARE FEET OR 0.96 ACRES OF LAND, MORE OR LESS, OUT OF PORCION 25, ABSTRACT 50, AND PARTLY OUT OF PORCION 26, ABSTRACT 282, CITY OF LAREDO, WEBB COUNTY, TEXAS; AS DESCRIBED BY METES AND BOUNDS AND SURVEY ATTACHED AS EXHIBITS A and B; and

TRACT II – A 156.00-FOOT-WIDE STRIP OF LAND CONTAINING 69,553 SQUARE FEET OR 1.60 ACRES OF LAND, MORE OR LESS, OUT OF PORCION 25 ABSTRACT 50, AND PARTLY OUT OF PORCION 26, ABSTRACT 282, CITY OF LAREDO, WEBB COUNTY, TEXAS; AS DESCRIBED BY METES AMD BOUNDS AND SURVEY ATTACHED AS EXHIBITS C and D.

WHEREAS, the owners of the D & J Alexander Subdivision desire to construct a channel to connect the culvert crossing Del Mar Boulevard to the existing channel in the Subdivision; and

WHEREAS, the construction of said channel will alleviate the diversion of the storm water into the channel; and,

WHEREAS, in order to proceed with the construction of a channel to connect the culvert crossing Del Mar Boulevard to the existing channel in the D & J Alexander Subdivision, it is in the best interest of the City of Laredo to accept the donation of the above-referenced parcel of land as a Drainage Easement, as described in attached Exhibits A and B, as to Tract I, and in attached Exhibits C and D, as to Tract II.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

A. It hereby accepts the donation of a Drainage Easement from Alexander Residential Development, L. P., a Texas Limited Partnership. Said Drainage Easement consisting of two tracts, these being:

Tract I – a 151.00-foot-wide strip of land containing 41,817 square feet or 0.96 acres of land, more or less, out of Porcion 25, Abstract 50, and partly out of Porcion 26, Abstract 282, City of Laredo, Webb County, Texas; as described by metes and bounds and survey attached as Exhibits A and B; and

Tract II – a 156.00-foot-wide strip of land containing 69,553 square feet or 1.60 acres of land, more or less, out of Porcion 25, Abstract 50, and partly out of Porcion 26, Abstract 282, City of Laredo, Webb County, Texas; as described by metes and bounds and survey attached as Exhibits C and D.

B. This Resolution shall become effective upon passage thereof.

PASSED BY THE CITY COUN	CIL AND APPROVED BY THE MAYOR ON
THIS, THEDAY OF	, 2004.
	DI VA A DESTIT CO DE CODEC
	ELIZABETH G. FLORES
	MAYOR
ATTEST:	
ATTEST.	
	•
GUSTAVO GUEVARA, JR	
CITY SECRETARY	
APPROVED AS TO FORM:	
JAIME L. FLORES	
CITY ATTORNEY	
By:	
ANTHONY C. McGETTRICK	
ASST. CITY ATTORNEY	

HOWLAND

Engineering & Surveying Company

Oil and Gas Location Surveys " Boundary Surveys " City Lot Surveys " Engineering & Planning



Legal Description 151.90 Fact Wide Drainage Ensement 41,817 Square Feet or 4.96 Acres of Land City of Laredo Webb County, Texas

A Strip of Land containing 41,817 Square Feet or 8.96 Acres of Land, more or less, situated in Porcion 25, Abstract 50, Juan F. Gartin, Original Grantee and partly out of Portion 26, Abstract 282, Agustin Sanchez, Original Grantee, City of Laredo, Webb County, Texas. Being out of a trust of land containing 1,450 acres of land conveyed by doed to Delfina E. Alexander and Josefina Alexander Gunzalez, as recorded in Volume, 414, Pages 502-506, Deed Records, Webb County, Tecas, and subsequently conveyed to Alexander Residential Development Co., as per deed recorded in Vol. 857 pgs. 66-68, D.R.W.C.T. and being more particularly described by metes and bounds as follows to wit:

Commencing at a 1/2" from Rad Found at the southerly right-of-way line of Del Mar Boulevard, at the northwesterly corner of an Access & Utility Essement, as recorded in D & J Alexander Subdivision, Unit I, Vot. 19, Pg. 41, Plat Records, Webb County, Texas;

Thence with the noutherly right-of-way line of said Del Mar Boulevard and the northerly line of said Access & Utility Easement, South 67 degrees 36 minutes 51 seconds West, a distunce of 20.51 feet to the northeasterly corner of this tract and the True Point of Beginning hereof,

Thence with the southwesterly line of said Access & Utility Ensement, South 25 degrees 13 minutes 43 seconds East, a distance of 276.93 feet to the southwesterly corner of said Access & Utility Easement from which a Concrete Monument found at the northwesterly corner of said D & I Alexander Subdivision, Unit I, bears North 67 degrees 36 unimutes 53 seconds East, a distance of 20.51 feet for the southeasterly corner hereof.

Thence South 67 degrees 36 minutes 53 seconds West, a distance of 154.88 feet to a Concrete Monument found for the southwesterly corner hereof.

Thence North 35 degrees 13 minutes 45 seconds West, a distance of 276.93 feet to a point on the southerly right-ofway line of aforementioned Del Mar Boulevard, for the northwesterly corner hereof;

Thence with the southely right-of-way line of said Del Mar Boulevard, North 67 degrees 36 minutes 53 seconds East, 2 distance of 154.88 feet to the Point of Beginning and containg 41,817 Square Feet or 0.96 Acres of Land, more or

Basis of Bearing: A PK-Neil found at the northwest cul-de-suc centerline intersection of Hemingway Loop and Edgar Allon Poc Drive and a PK-Nail found at the centerline intersection of Hemingway Loop and Edgar Allen Pou Drive, D & J Alexander Subdivision, Unit I, as per plat recorded in Volume 19, Page 41, of the Plut Records Webb County, Toxox.

(Called: South 22 degrees 74 minutes 37 seconds East, 774.00'), Measured: South 22 degrees 26 minutes 37 seconds East, 778.68.

dies .

d Professional Land Surveyor, do hereby state that the above "Field Notes" and attached he best of my knowledge. OLILBIOY

CNDwgsViegal Descriptions\156' Drainage Fasement 1 doc

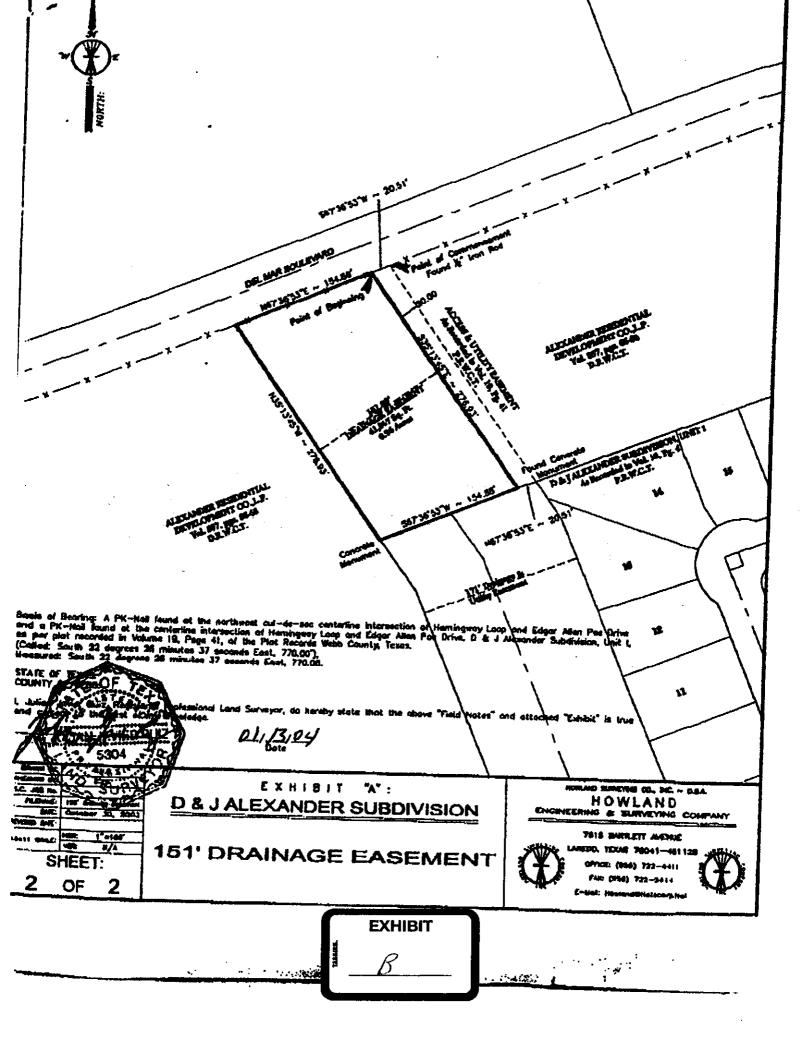
EXHIBIT

8045 * TEL: (956) 722-4411 * FAX; (956) 722-5414

PLANTATION PROFESSIONAL BUILDING . 1310 JUNCTION

STATE O

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HOWLAND Engineering & Surveying Company

Oll and Gas Location Surveys "Boundary Surveys" City Lot Surveys " Engineering & Planning



Legal Description
156 Foot Wide Drainage Easement
69,553 Square Feet or 1.60 Acres of Land
City of Laredo
Webb County, Texas

Being a Tract of Land containing 69,553 Square Feet or 1.60 Acres of Land, more or less, situated in Poseion 25, Abstract 50, Juan F. Garcia, Original Grantee and partly out of Poseion 26, Abstract 282, Agustin Sanchez, Original Grantee, City of Laredo. Webb County, Texas. Being out of a tract of land containing 1,450 acres of land conveyed by deed to Delfina E. Alexander and Josefina Alexander Gonzalez, as recorded in Volume, 414, Pages 502-506, Deed Records, Webb County, Texas, and subsequently conveyed to Alexander Residential Development Co., as per deed recorded in Vol. 857 pgs. 66-68, D.R.W.C.T. and being more particularly described by metes and bounds as follows to wit:

Beginning at a point from which a Concrete Monument Found at the southeasterly corner of an Access & Utility Easerment, recorded in Vol. 19, Pg. 41, Plat Records, Webb County, Texas, hears, North 22 degrees 19 minutes 55 seconds East, 1656.38 feet, for the southeast corner hereof;

Thence South 67 degrees 01 minutes 10 seconds West, a distance of 445.85 feet for the most southwest corner hereof;

Thence North 22 degrees 38 minutes 50 seconds West, a distance of 156.00 feet from which a Concrete Monument found at the southeasterly corner of Lot 1, Block 1, Lago del Mar Subdivision. Unit 11, recorded in Vol. 20, Pg. 80, Plat Records, Webb County, Texas, bears, North 22 degrees 28 minutes 40 seconds West, 364.56 feet, for the northwest corner hereof:

Therece North 67 degrees 01 minutes 10 seconds East, a distance of 445.85 feet for the northeast corner hereof;

Thence South 22 degrees 58 minutes 50 seconds East, a distance of 156.00 feet to the Point of Beginning and containing 69,553 Square Feet or 1.68 Acres of Land, more or less.

Basis of Bearing: A PK-Nail found at the northwest cul-de-sac centerline intersection of Hemingway Loop and Edgar Allen Poe Drive and a PK-Nail found at the centerline intersection of Hemingway Loop and Edgar Allen Poe Drive, D & J Alexander Subdivision, Unit I, as per plat recorded in Volume 19, Page 41, of the Plat Records Webb County, Texas.

(Called: South 22 degrees 26 minutes 37 seconds East, 770.00'), Measured: South 22 degrees 26 minutes 37 seconds East, 770.08.

Junta Invier Rule Representation of Professional Land Surveyor, do hereby state that the above "Field Notes" and attraction in the best of my knowledge.

C:\Dwgs\Legal Descriptions\156' Drainage Easement 2,doc

Sheet Lof 2

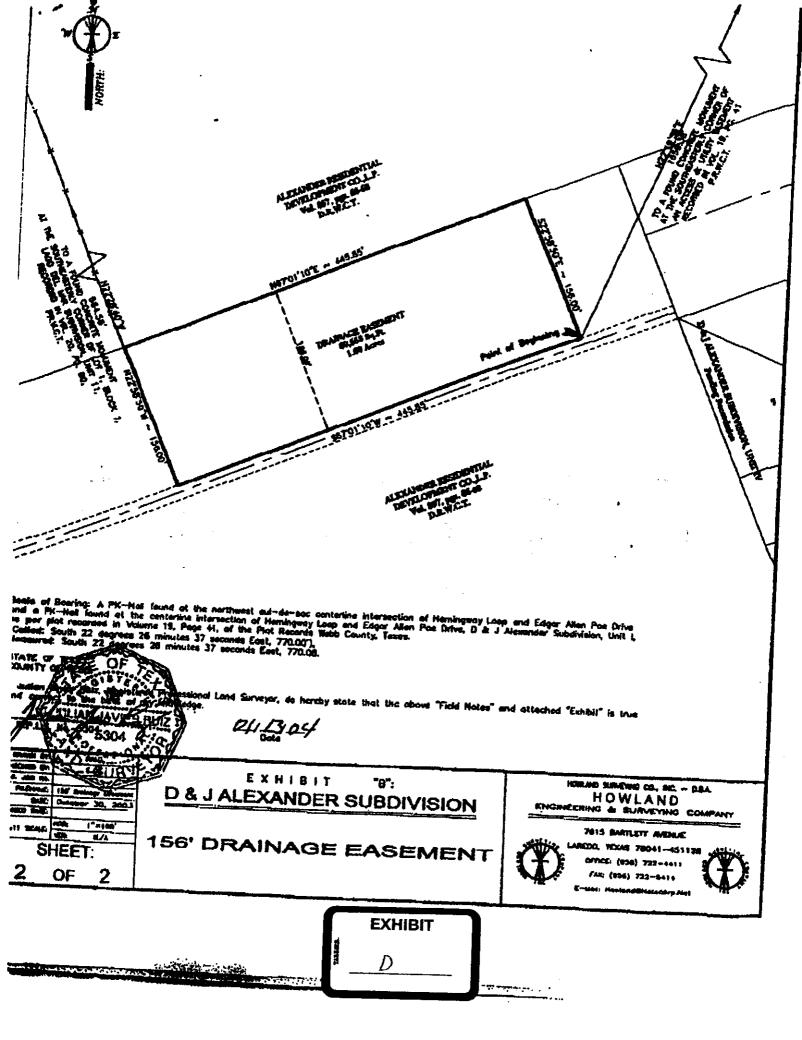
EXHIBIT

<u> ا</u>

PLANTATION PROFESSIONAL BUILDING 13 10 JUNCTION 1

STATE OF

8045 " TEL: (956) 722-4411 " FAX: (956) 722-5414



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DATE	E SUBJECT: RESOLUTION NO. 2004-R-026				
	ACCEPTING THE DONATION	OF ONE UTILITY EASEMENT			
03-29-04 FROM LEOPOLDO RODRIGUEZ AND WIFE, YOLANDA RODRIGUEZ					
	D-5 ACRES SUBDIVISION EAS	SEMENT ACQUISITION PROJECT. THIS BEING A			
	STRIP OF LAND 15 FEET IN W	VIDTH, CONTAINING 3,142.44 SQUARE FEET OR			
	0.072 OF AN ACRE, MORE OR LESS, AND BEING SITUATED IN PORCION 33				
	ABSTRACT 3084, D-5 ACRES SUBDIVISION, AND DESCRIBED BY METES				
	AND BOUNDS AND SURVEY	ATTACHED AS EXHIBITS A and B.			
	<u> </u>				
INITIATE	D BY:	STAFF SOURCE:			
Cynthia Co	llazo	Angelo Ferrazzano			
Assistant C	ity Manager	Real Estate Manager			
	S COUNCIL ACTION: None.				
BACKGR	····				
The City of	Laredo is in the process of extendi	ng utility services lines through the D-5 Acres			
		ect, among other colonias in conjunction with its			
	with Webb County; and				
	•,				
	on of utility services lines to the D- ewer services to residents of that co	5 Acres Subdivision will expedite the delivery of olonia			
the best inte		y services lines to the D-5 Acres Subdivision, it is in the donation of a utility easement over the said parcel,			
		-			
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EPINI A RICHI	AT TAKE A CUE.				
	AL IMPACT:				
	:. 557-0000-161-0000	STAFF RECOMMENDATION:			
COMMINIT	TEE RECOMMENDATION:	STAFF KECUMMENDATION:			

Staff recommends approval of Resolution.

RESOLUTION NO. 2004-R-026

ACCEPTING THE DONATION OF A UTILITY EASEMENT FROM LEOPOLDO RODRIGUEZ AND WIFE, YOLANDA RODRIGUEZ, FOR THE D-5 ACRES SUBDIVISION EASEMENT ACQUISITION PROJECT. THIS BEING A STRIP OF LAND 15 FEET IN WIDTH, CONATINING 3,142.44 SQUARE FEET OR 0.072 OF AN ACRE, MORE OR LESS, AND BEING SITUATED IN PORCION 33, ABSTRACT 3084, D-5 ACRES SUBDIVISION, AND DESCRIBED BY METES AND BOUNDS AND SURVEY ATTACHED AS EXHIBITS A and B.

WHEREAS, the City of Laredo is in the process of extending utility services lines to various colonias, including the D-5 Acres Subdivision Easement Project and

WHEREAS, the extension of utility services lines to the D-5 Acres Subdivision, will expedite the delivery of utility services to residents of that area; and

WHEREAS, in order to proceed with the extension of utility services lines to the D-5 Acres Subdivision, it is in the best interest of the City of Laredo to accept the donation of the above-referenced parcel of land as a utility easement, as described in attached Exhibits A & B.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

- A. It hereby accepts the donation of one utility easement from Leopoldo Rodriguez and wife, Yolanda Rodriguez, for the D-5 Acres Subdivision Easement Acquisition Project. This being a strip of land 15 feet in width, containing 3,142.44 square feet or 0.072 of an acre, more or less, and being situated in Porcion 33, Abstract 3084, D-5 Acres Subdivision, and described by metes and bounds on Exhibit A and by survey on Exhibit B.
 - B. This resolution shall become effective on passage thereof.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON

THIS, THEDAY OF MARCH,	2004.	
	ELIZABETH G. FLORES MAYOR	
ATTEST:		
GUSTAVO GUEVARA, JR CITY SECRETARY		
APPROVED AS TO FORM: JAIME L. FLORES CITY ATTORNEY	· ,···	
By: ANTHONY C. McGETTRICK ASST. CITY ATTORNEY		

Howland Surveying Co., Inc. - DBA

Engineering & Surveying Company

Oil and Gas Location Surveys * Boundary Surveys * City Lot Surveys * Engineering & Planning



Field Notes

PROPOSED UTILITY EASEMENT TRACT 12 ~ LEOPOLDO RODRIGUEZ D-5 ACRES SUBDIVISION WEBB COUNTY, TEXAS

Being a strip of land 15.00 feet in width, containing 3,142.44 square feet or 0.072 acres, more or less, over and across a portion of Tract 12 called to contain 0.501 acres in a plat titled "D-5 ACRES SUBDIVISION" recorded in Volume 4, Page 89, Plat Records, Webb County, Texas. Said strip being situated in Porcion 33, Abstract 3084, Jose Dionicio Trevino, Original Grantee, Webb County, Texas, and more particularly described by metes and bounds as follows, to-wit:

Beginning at the common corner of Tracts 11, 12, 16, and 17, and the southeast corner of this strip, from whence a ½-inch diameter iron rod found by a fence corner post bears N 29° 13' 18" W, 0.28 feet;

Thence S 89° 14' 46" W, with the north line of Tract 17 and south line of Tract 12, at 15.00 feet the southwest corner hereof;

Thence N 00° 26' 46" E, over and across a portion of Tract 12, at 209.50 feet the northwest corner of this strip on the south line of a 10-foot wide strip conveyed to the County of Webb for road widening purposes;

Thence N 89° 14' 46" E, with the south line of said 10-foot wide strip, at 15.00 feet the northeast corner of this strip from whence a found 1/2-inch diameter iron rod bears N 68° 15' 37" W, 1.36 feet:

Thence S 00° 26' 46" W, with the west line of Tract 11 and the east line of Tract 12, at 209.50 feet the *Point of Beginning*.

Basis of Bearings: SPC, Texas South Zone, NAD-83, from GPS observations referenced to TXDOT Monument "240-359-002".

The undersigned Registered Professional Land Surveyor, Juan Tijerina, hereby certifies that this Property Description and the Plat of Survey attached hereto are true and correct and were prepared from an actual survey conducted on the ground under my supervision.

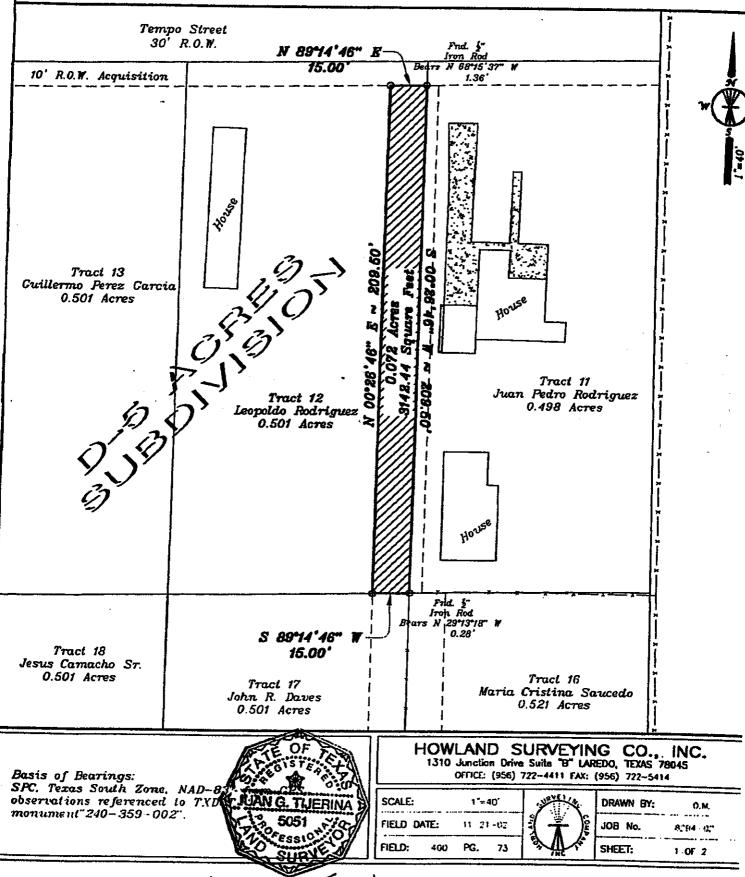
Executed this 6th day of January, 2003

Juan Tijerina, RPLS 5081, Webb County, Texas

JUAN G. TIJERINA P 5051

Proposed Utility Easement

Tract 12 Leopoldo Rodriguez 0.501 Acres Webb County, Texas



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DATE	CLID IECT. Possilution	#2004 D 027		
DATE:	SUBJECT: Resolution	#2004-R-027		
3/29/2004	\$637,267 to fund the grant in the amount of Related Public Corrupt Executive Office of the Policy (ONDCP), High cost to the City. Fundir benefits, overtime, tra 2005 through December Funding for the STX Task Force will be used	lanager to apply for a grant in the amount of Laredo Financial Disruption Task Force and a \$99,916 to fund the Laredo Multi-Agency Drug ion Task Force. Both grants are funded by the President, Office of the National Drug Control Intensity Drug Trafficking Area (HIDTA) at nong will be used to pay personnel salaries, fringe vel and operating expenses from January 1, er 31, 2005. Multi Agency Drug Related Public Corruption of for payment of fringe benefits, overtime, traveles from January 1, 2005 through December 31,		
INITIATED BY:	S	TAFF SOURCE:		
Cynthia Collazo		Agustin Dovalina III		
Assistant City Manage		Chief of Police		
PREVIOUS COUNCIL				
None				
ACTION PROPOSED:				
That City Council pass	s this Resolution.			
	· · · · · · · · · · · · · · · · · · ·			
BACKGROUND:				
Police Multi-Agency Fire Task Force. The Task with its main focus being Organizations. Funds under the original operating expenses. The Task with its main focus being organizations.	nancial Disruption Task F Force works together wing the identification and cand all grant pay for personne	cy for the past thirteen years of the Laredo Force and The Drug Related Public Corruption th other Local, State and Federal Agencies, disruption/dismantling of Major Drug Trafficking el salaries, overtime, fringe benefits, travel and y funded by the Office of the National Drug afficking Area (HIDTA).		
FINANCIAL: Financial Task Force \$637,267 Public Corruption \$99,916 See attachment				
RECOMMENDATION:		STAFF: Staff recommends that this Resolution be passed.		

Resolution 2004-R-027

Authorizing the City Manager to apply for a grant in the amount of \$637,267 to fund the Laredo Financial Disruption Task Force and a grant in the amount of \$99,916 to fund the Laredo Multi-Agency Drug Related Public Corruption Task Force. Both grants are funded by the Executive Office of the President, Office of the National Drug Control Policy (ONDCP), High Intensity Drug Trafficking Area (HIDTA) at no cost to the City. Funding will be used to pay personnel salaries, fringe benefits, overtime, travel and operating expenses from January 1, 2005 through December 31, 2005.

Funding for the STX Multi Agency Drug Related Public Corruption Task Force will be used for payment of fringe benefits, overtime, travel and operating expenses from January 1, 2005 through December 31, 2005.

Whereas, the City Council previously adopted the budget for fiscal year 2003-2004; and

Whereas, funds are 100% federally funded by the Office of the National Drug Control Policy through the High Intensity Drug Trafficking Area; and

Whereas, the Chief of Police recommends that this award be accepted; and

Whereas, funds will be used to pay personnel salaries, for 1 sergeant, 6 investigators, 1 full time administrative assistant, 1 part time custodian and travel; and

Whereas, the described transfer below are done pursuant to the requirements of Section 6.08 of the City Chapter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Authorizing the City Manager to apply for a grant in the amount of \$637,267 to fund the Laredo Financial Disruption Task Force and a grant in the amount of \$99,916 to fund the Laredo Multi-Agency Drug Related Public Corruption Task Force. Both grants are funded by the Executive Office of the President, Office of the National Drug Control Policy (ONDCP), High Intensity Drug Trafficking Area (HIDTA) at no cost to the City. Funding will be used to pay personnel salaries, overtime, travel and operating expenses from January 1, 2005 through December 31, 2005.

Funding for the STX Multi Agency Drug Related Public Corruption Task Force will be used for payment of fringe benefits, overtime, travel and operating expenses from January 1, 2005 through December 31, 2005.

PASSED BY THE CITY COUNCIL AND AF, 20	
ATTEST:	ELIZABETH G. FLORES MAYOR
GUSTAVO GUEVARA, JR. CITY SECRETARY APPROVED AS TO FORM: AUTHER COMMITTEE AND THE FLORES	

SWB South Texas FY 2005 Funding Request

South Texas HIDTA Laredo Initiative Initiative name	Investigation Initiative type	
City of Laredo - Laredo Police Department	Laredo,Texas	Local
Award recipient	Award Recipient district, division	FSL
City of Laredo - Laredo Police Department	Laredo. Texas	Local
Resource recipient	Resource Recipient district, division	FSL

I5PSSP571

A. Personnel

Name/Position	Annual Salary	% Time	Subtotal	Total
Investigator LPD	58,311	1.00	58,311	
Officer LPD	50,133	1.00	50,133	
Admin Asst/Financial Analyst	35,743	1.00	35,743	
Custodian LPD	18,520	0.50	9,260	
Sergeant LPD	61,309	1.00	61,309	
Investigator Webb Co Sheriff	45,609	1.00	45,609	
Investigator Zapata County DA	40,253	1.00	40,253	
Investigator Zapata County DA	40,253	1.00	40,253	

340,871

B. Fringe Benefits

Name/Position	Annual Amount	% Time	Subtotal	Total
Investigator LPD	20,283	1.00	20,283	
Officer LPD	17,830	1.00	17,830	
Admin Asst / Financial Analyst	10,723	1.00	10,723	
Custodian	5,556	0.50	2,778	
Sergeant LPD- Meth	21,182	1.00	21,182	
Investigator Webb Co Sheriff	16,472	1.00	16,472	
Investigator Zapata County DA	14,865	1.00	14,865	
Investigator Zapata County DA	14,865	1.00	14,865	

118,998

C. Overtime

Position	# of Hours	Rate	Subtotal	Total
Investigator LPD	258	36.00	9,288	
Officer LPD	258	36.00	9,288	
Sergeant LPD	258	36.00	9,288	
Investigator Webb Co Sheriff	258	36.00	9,288	
Investigator Zapata County DA	258	36.00	9,288	

Investigator Zapata County DA	258	36.00

9,288

55,728

D. Travel

Purpose	Annual Amount	Subtotal	Total
Investigative (7)	1,552	1,552	
Training (8)	3,000	3,000	
			4.552

E. Facilities

Description	# of Months	Monthly Rate	Subtotal	Total
Rent (2000 Sq. Ft @\$1.25)	12	2,500	30,000	
Rent (Zapata Ofc 1500 sqft@\$.40 sqft)	12	600	7,200	
				37,200

F. Services

Description and Quantity	# of Months	Monthly Rate	Subtotal	Total
Cell Phones (8)	12	720	8,640	
Pagers (8)	12	100	1,202	
Vehicle Lease (5)	12	3,500	42,000	
Vehicle Maintenance (7)	12	192	2,304	
Post Office Box	12	13	156	
SWB T1 Connection	12	280	3,360	
Utilies	12	200	2,400	
Alarm System	12	70	840	
Postage	12	25	300	
Telephone	12	450	5,400	

66,602

G. Equipment

Description	Quantity (#)	Unit Price	Subtotal	Total
			0	
			0	
				^

H. Supplies

Description	# of Months/Units	Rate	Subtotal	Total
Office Supplies	12	193	2.316	

Fuel &Oil	12	500	6,000	
<u> </u>				8.316

I. Other

Purpose	Annual Amount	Subtotal	Total
PE/PI/PS	5,000	5,000	
		0	
			5.000

Total Budget	637,267

Note: Subtotals are rounded products of input figures.

SWB South Texas FY 2005 Funding Request

STX Multi-Agency Drug Related Public Corruption Task Force Initiative name	1	Investigation Initiative type
City of Laredo - Laredo Police Department		Local
Award recipient	Award Recipient district, division	FSL
City of Laredo - Laredo Police Department		Local
Resource recipient	Resource Recipient district, division	FSL

I5PSSP602

A. Personnel

Name/Position	Annual Salary	% Time	Subtotal	Total
	••		0	
			0	
				n

B. Fringe Benefits

Name/Position	Annual Amount	% Time	Subtotal	Total
Investigator	2,788	1.00	2,788	*
Investigator	2,788	1.00	2,788	
Investigator	2,788	1.00	2,788	
Investigator	2,788	1.00	2,788	
· · · · · · · · · · · · · · · · · · ·				11 160

11,152

C. Overtime

# of Hours	Rate	Subtotal	Total
258	36.00	9,288	
258	36.00	9,288	
258	36.00	9,288	
258	36.00	9,288	
	258 258 258	258 36.00 258 36.00 258 36.00	258 36.00 9,288 258 36.00 9,288 258 36.00 9,288 258 36.00 9,288

37,152

D. Travel

Purpose	Annual Amount	Subtotal	Total
Investigative (4)	8,000	8,000	
Training (4)	3,436	3,436	
			11,436

E. Facilities

Description	# of Months	Monthly Rate	Subtotal	Total
			0	
			0	
				Λ

F. Services

Description and Quantity	# of Months	Monthly Rate	Subtotal	Total
Cell Phones (4)	12	233	2,796	
Pagers (4)	12	129	1,548	
Vehicle Lease (4)	12	2,700	32,400	
Vehicle Maintenance	12	86	1,032	
				37 776

G. Equipment

Description	Quantity (#)	Unit Price	Subtotal	Total
			0	
			0	
· · · · · ·				Λ

H. Supplies

Description	# of Months/Units	Rate	Subtotal	Total
Fuel & Oil (4)	12	200	2,400	
			0	
				2,400

I. Other

Purpose	Annual Amount	Subtotal	Total
		0	
		0	
· · · · · · · · · · · · · · · · · · ·			Λ

99,916

Note: Subtotals are rounded products of input figures.

	·			
•				

DATE: 03/29/2004

SUBJECT: RESOLUTION NO. 2004 -R- 028

AUTHORIZING THE USE OF SURPLUS PROCEEDS FROM THE CITY OF LAREDO – PUBLIC PROPERTY FINANCE CONTRACTUAL OBLIGATIONS (PPFCO), SERIES 2002A, IN THE AMOUNT OF \$24,438.00 FOR THE PURCHASE OF A GRACO LAZER III 5900 AIRLESS WALK BEHIND STRIPER, PRO-35 II DIESEL ASPHALT/CONCRETE CUTTER, BM 250 BITUMINOUS APPLICATOR AND A LINE REMOVER FOR THE TRAFFIC SAFETY DEPARTMENT. THIS EQUIPMENT WILL BE USED BY THE TRAFFIC SAFETY DEPARTMENT'S TRAFFIC PAVEMENT MARKINGS AND SIGNALS INSTALLATION PROJECTS.

INITIATED BY:

STAFF SOURCE:

Larry Dovalina, City Manager

Roberto Murillo, P.E, Traffic Director

Francisco Meza, Purchasing Agent

PREVIOUS COUNCIL ACTION: None.

BACKGROUND:

The Traffic Safety Department is in need of a Graco Line Lazer III 5900 Airless Walk Behind, Pro-35 II Asphalt/Concrete Cutter, and RBM 250 Bituminous Applicator for use by the Traffic Safety Department for Signs and Signal installation projects. Staff is requesting City Council approval to utilize surplus proceeds from the City of Laredo – Public Property Finance Contractual Obligations (PPFCO), Series 2002A, in the amount of \$24,438.00, for the purchase of the above mentioned equipment.

Items:	Amount:	Vendor:
1. Graco Line Lazer III 5900 Airless Walk Behind Striper	\$5,575.00	PathMark Products, Inc.
2. BM 350 Bituminous Applicator	\$4,250.00	PathMark Products, Inc.
3. Line Remover Model 20203	\$3,150.00	PathMark Products, Inc.
4. Pro-35 II Diesel Asphalt/Concrete Cutter	\$11,463.00	Briggs Equipment

Total: \$24,438.00

Graco Line Lazer, BM 350 Bituminous Applicator, and Line Remover will be purchased from PathMark Products of Texas, Inc., San Marcos, TX.

Pro-35 II Diesel Asphalt/Concrete Cutter will be purchased from Briggs Equipment, Laredo, TX. Equipment will be delivered and serviced by the above mentioned vendors.

FINANCIAL: City of Laredo, Texas Public Property Finance Contractual Obligations, Series 2002A,

surplus proceeds. PPFCO Budget (Automotive) \$1,568,700.00

Expenditures to Date (\$1,247,779.18)
Available Proceeds – Surplus \$320,920.82

Capital Outlay, Mach & Equip – Account Number: 401-9859-535-9001; with approved transfer of savings from the 2002 Automotive line item.

RECOMMENDATION:	STAFF:	Staff recommends appro-	val of this

Resolution.

A RESOLUTION NO. 2004 - R - 028

AUTHORIZING THE USE OF SURPLUS PROCEEDS FROM THE CITY OF LAREDO – PUBLIC PROPERTY FINANCE CONTRACTUAL OBLIGATIONS (PPFCO), SERIES 2002A, IN THE AMOUNT OF \$24,438.00 FOR THE PURCHASE OF A GRACO LAZER III 5900 AIRLESS WALK BEHIND STRIPER, PRO-35 II DIESEL ASPHALT/CONCRETE CUTTER, BM 250 BITUMINOUS APPLICATOR AND A LINE REMOVER FOR THE TRAFFIC SAFETY DEPARTMENT. THIS EQUIPMENT WILL BE USED BY THE TRAFFIC SAFETY DEPARTMENT'S TRAFFIC PAVEMENT MARKINGS AND SIGNALS INSTALLATION PROJECTS.

WHEREAS, the proposed transfer of excess funds from the Texas Public Property Finance Contractual Obligation (PPFCO) will be used to purchase a Graco Line Lazer II 5900 Airless Walk Behind Striper, BM 350 Bituminous Applicator, Pro-35 II Diesel Asphalt/Concrete Cutter and a Line Remover needed by the Traffic Safety Department;

WHEREAS, it is in the best interest of the City to se these excess proceeds from the Texas Public Property Finance Contractual Obligation (PPFCO) – 2002A Series, in the amount of \$24,438.00, for the purchase of a Graco Line Lazer III 5900 Airless Walk Behind Striper, BM 350 Bituminous Applicator, Pro-35 II Diesel Asphalt/Concrete Cutter and a Line Remover;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Surplus proceeds from the City of Laredo – Texas Public Property Finance Contractual Obligation (PPFCO) – 2002A Series, be used to purchase this equipment.

PPFCO Budget \$1,568,700.00 Expenditures to Date (\$1,247,779.18) Available Proceeds-Surplus \$ 320,920.82

PASSED BY THE MAYOR ON THIS	
	Elizabeth G. Flores, Mayor
	Attest:
	Gustavo Guevara, Jr.

City Secretary

APPROVED AS TO FORM:

Jaime L. Flores City Attorney

Allan W. McGraw

Assistant City Attorney

		a.		

Council Communication

DATE:	SUBJECT: RESOLU	JTION 2004-R-029
03-29-04	pata and the City of L	Inanger to execute an Interlocal Agreement between the County of Zaaredo for the collection of Landfill Fees for the Disposal of Garbage at by the County of Zapata on a daily basis.
	ino only signature site	by the country of Eupata on a dairy oasis.
INITIATE		STAFF SOURCE:
INITIATE Larry Dova	ED BY:	

PREVIOUS COUNCIL ACTION:

On 09/02/97, Council instructed staff to add incorporated cities within Webb County to the introductory ordinance at a rate of \$30.00 per ton plus any Federal and/or State mandated fees.

On 12/08/03 Council approved an interlocal agreement with Jim Hogg County for the collection of Landfill Fees for Disposal of Garbage at the City's landfill site at a rate of \$30.00 per ton plus any Federal and/or State mandated fees.

ACTION PROPOSED:

That Council accept the Interlocal Agreement for the disposal of garbage at the City's landfill site by the County of Zapata

BACKGROUND:

On February 25, 2004 the County of Zapata approached the City of Laredo and informed them that they were in dire need of landfill services for their County garbage collection system and that they would like to use the services of our landfill. The landfill that they are using has reached the permit limit. They have applied for a vertical expansion which is pending TCEQ approval. They informed the City that they were willing to pay \$30.00 per ton.

On February 27, 2004 the Solid Waste Director received authorization from the City Manager to allow Zapata County to use the City of Laredo Landfill since it affected the health, safety and welfare of Zapata County and since it was too late to place the item on the March 1, 2004 City Council Agenda. The item would then be placed on the March 29, 2004 agenda for ratification of the interlocal agreement with a \$30.00 per ton rate.

FINANCIAL IMPACT:

Acct. No. 556-0000-334-3020 - Landfill Collection

This item would increase landfill revenues by approximately \$50,000.

COMMITTEE RECOMMENDATION:	STAFF RECOMMENDATION:
None	Approval

RESOLUTION 2004-R-029

BY THE CITY OF LAREDO CITY COUNCIL APPROVING A INTERLOCAL GOVERNMENT AGREEMENT WITH THE COUNTY OF ZAPATA REGARDING DISPOSAL OF GARBAGE, LANDFILL FEES AND STATE MANDATED FEES

WHEREAS, the City of Laredo ("Laredo"), is a municipal corporation chartered under the laws of the State of Texas, with its principal place of business located at 1110 Houston Street, Laredo, Texas; and

WHEREAS, the County of Zapata, is a subdivision of the State of Texas, with its principal place of business located at 605 N. Hwy. 83, Zapata, Texas; and

WHEREAS, the County of Zapata seeks landfill services in order to operate and manage their own refuse collection system; and

WHEREAS, the City of Laredo currently owns and operates a landfill which provides service to residents located within the corporate boundaries of the city and to commercial establishments located within the corporate boundaries of the city; and

WHEREAS the City of Laredo and the County of Zapata agree that the proper disposal of refuse affects the health, safety, and welfare of all city and county residents; and

WHEREAS, City of Laredo and County of Zapata agree that compliance with State and Federal standards for refuse disposal is necessary to assure the integrity of the city's water supply system and to protect the health, safety, and welfare of the citizens; and

WHEREAS, this agreement is authorized by the Interlocal Cooperation Act, Chapter 791 Texas Government Code; and

WHEREAS, this agreement provides for terms and conditions applicable to the City of Laredo Landfill only, which terms and conditions do not conflict with the provisions of existing interlocal agreements between the parties;

NOW, THEREFORE, BE IT RESOLVED, That the City of Laredo City Council does hereby approve the above subject document, hereby attached as Exhibit "A."

APPROVED BY THE MAYOR ON THIS THE 29TH DAY OF MARCH, 2004

Elizabeth G. Flores Mayor	
Attest:	
Gustavo Guevara, Jr.	<u> </u>

APPROVED AS TO FORM:

Jaime L. Flores City Attorney

Valeria M. Acevedo

Assistant City Attorney

DATE:	SUBJECT: RESOLUTION NO	O. 2004-R-030		
3-29-04	Authorizing the City Manager to submit two grant applications to the Federal Aviation Administration Airport Improvement Program and to accept Grant Project No. 3-48-			
	1	nount of \$6,000,000.00 for the purpose of implementation		
	1 1	ram and acquire a tract of land located within the		
	1	eccept a second Grant Project No. 3-48-0136-42-04 in the		
	· ·	4.00 for the purpose of installing an Engineered Materials		
	1	and of Runway 35L, rehabilitating a portion of the taxiway		
system and constructing cargo pads at the Laredo International Airport. The City (5%) percent Local Match for this project in the amount of \$540,850.00 is available.				
	from the Airport Fund Balance	• •		
INITIATED BY:	*	STAFF SOURCE: Jose L. Flores,		
	Assistant City Manager	Airport Director		
DDEVIOUS ACT	ION: City Council has approved	l previous FAA Grant applications for airport capital		
improvement proje		previous PAA Grant applications for airport capita.		
DACKCDOUND.	The Federal Aviation Admini	ptration is requesting that the City of Larada submit ture		
		stration is requesting that the City of Laredo submit two Program (AIP) assistance in the amount of		
~ **	<u>-</u> -	and a second application in the amount of \$4,276,134.00		
	<u> </u>	ng a portion of the taxiway system and constructing cargo		
pads.	_			
Cross Ducient No. /	11. Eunding for the naige mitige	stion project will give continuous to the City's paige		
-	_	ation project will give continuance to the City's noise		
abatement program. Approximately 112 families or approximately 560 people will be positively impacted by this grant. The acquisition of the Runway Protection Zone parcel will be used as City's local match.				
o) <u>G</u>		Face to see and only a second manner.		
Grant Project No. 4	2- Installation of the EMAS wil	ll enhance runway safety. Rehabilitation of a portion of		
• •		y. Construction of concrete cargo pads will enhance		
safety and capacity	•			
FINANCIAL:				
	\$540,850,00 is available from the	he Airport Fund Balance/Land Sale Proceeds.		
The local materior	ps-to,050.00 is available from a	Thipport I and Balanco, Earla Sale I 1000045.		
COMMITTEE RI	ECOMMENDATION:	STAFF: Recommends that the City Manager be		
		authorized to submit two Grant Applications and to		
		execute the Grant Agreements with the Federal Aviation		
		Administration.		

RESOLUTION NO. 2004-R-030

AUTHORIZING THE CITY MANAGER TO SUBMIT TWO GRANT APPLICATIONS TO THE FEDERAL AVIATION **ADMINISTRATION** AIRPORT IMPROVEMENT PROGRAM AND TO ACCEPT GRANT PROJECT NO. 3-48-0136-41-04 IN THE ESTIMATED AMOUNT OF \$6,000,000.00 FOR THE PURPOSE OF IMPLEMENTATION OF AIRPORT NOISE ABATEMENT PROGRAM AND ACQUIRE A TRACT OF LAND LOCATED WITHIN THE RUNWAY PROTECTION ZONE AND ACCEPT A SECOND GRANT PROJECT NO. 3-48-0136-42-04 IN THE ESTIMATED AMOUNT \$4,276,134.00 FOR THE PURPOSE OF INSTALLING AN ENGINEERED MATERIALS ARRESTING SYSTEM (EMAS) AT END OF RUNWAY 35L, REHABILITATING A PORTION OF THE **TAXIWAY SYSTEM** AND CONSTRUCTING CARGO PADS AT THE LAREDO INTERNATIONAL AIRPORT. THE CITY'S FIVE (5%) PERCENT LOCAL MATCH FOR THIS PROJECT IN THE AMOUNT OF AVAILABLE \$540,850.00 IS FROM THE AIRPORT FUND BALANCE/LAND **SALE** PROCEEDS.

WHEREAS, the Federal Aviation Administration is considering making two grant offers to the City of Laredo under the Airport Improvement Program being Grant Project No. 3-48-0136-41-04 in the estimated amount of \$6,000,000.00 for the purpose of implementation of airport noise abatement program and acquire a tract of land located within the Runway Protection Zone and accept a second Grant Project No. 3-48-0136-42-04 in the estimated amount of \$4,276,134.00 for the purpose of installing an Engineered Materials Arresting System (EMAS) at end of Runway 35L, rehabilitating a portion of the taxiway system and constructing cargo pads at the Laredo International Airport; and

WHEREAS, from the Airport Fund Balance/Land Sale Proceeds there is available the City's five (5%) percent local match in the aggregate amount of \$540,850.00; and

WHEREAS, the City Council finds it to be in the best interest of the City of Laredo, Texas, to accept the two grants in the aggregate amount of \$10,276,134.00 and to match the two grants in the aggregate amount of \$540,850.00, (\$315,790.00 local match to Grant No. 41 and \$225,060.00 local match to Grant No. 42).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The City of Laredo hereby accepts the provisions of the Federal Aviation Administration grants known as Project No. 3-48-0136-41-04 and Project No. 3-48-0136-42-04; and

Section 2: The City of Laredo is appropriating its five (5%) percent Local Match from the Airport Fund Balance/Land Sale Proceeds for said project in the aggregate amount of \$540,850.00.

Section 3: The City Manager is hereby authorized and directed to submit a grant application and to execute the grant agreement with the Federal Aviation Administration.

	IL AND APPROVED BY THE MAYOR ON, 2004.
	ELIZABETH G. FLORES MAYOR
ATTEST:	-
GUSTAVO GUEVARA, JR. CITY SECRETARY	
APPROVED AS TO FORM:	

BY: Valena M heaveds
VALERIA M ACEVEDO
ASSISTANT CITY ATTORNEY

JAIME L. FLORES CITY ATTORNEY



DATE:

SUBJECT: RESOLUTION NO. 2004-R-031

03/29/2004

A RESOLUTION OF THE CITY OF LAREDO, TEXAS, OPPOSING ANY SCHOOL FINANCE OR TAX SYSTEM REFORMS THAT WOULD NEGATIVELY AFFECT CITY REVENUES AND ECONOMIC DEVELOPMENT EFFORTS.

INITIATED BY:

Larry Dovalina, City Manager

STAFF SOURCE:

Rosario Camarillo-Cabello, Finance Director

PREVIOUS COUNCIL ACTION:

None

BACKGROUND:

Governor Rick Perry unveiled a plan to try to solve school finance issues.

The plan he unveiled is proposing the following:

- Limit the amount of revenue local entities can raise from property taxes to the amount raised the previous year plus an inflation and population growth factor. The plan does not take into consideration beyond inflation or growth, i.e.: homeland security, public safety etc.
- Place a 3% cap on annual increases in the appraisal value of residential homesteads (the current value is 10% per year) which means that "the cap would shield individual homeowners from skyrocketing and arbitrary increases in the appraisal value of their property, the appraisal cap would be lifted when the property is sold, and the value when sold would return to full market value for the new owner."
- require voter approval of property tax increases that exceed certain levels
- Establish appraisal district boards composed of 5 elected officials, including the mayor
 of the largest city in the county, county judge, the president of the largest school board,
 the county tax assessor-collector, mayor of another city (selected by all other cities in
 the county).

Cities have shown to be fiscally responsible and any efforts to cap taxes may hinder the ability for cities to build basic infrastructure, ensure public safety through police and fire departments, and to provide numerous essential services for city residents. TML encourages for all cities to pass said resolution.

FINANCIAL IMPACT:

No current impact. If proposal passes, then it may negatively affect the ability for cities to generate property tax revenues.

COMMITTEE RECOMMENDATION	STITE RECOMM	ENDATION:
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STAFF RECOMMENDATION:

N/A

Staff Recommends Approval of Resolution.

RESOLUTION NO 2004-R-031

A RESOLUTION OF THE CITY OF LAREDO, TEXAS, OPPOSING ANY SCHOOL FINANCE OR TAX SYSTEM REFORMS THAT WOULD NEGATIVELY AFFECT CITY REVENUES AND ECONOMIC DEVELOPMENT EFFORTS

WHEREAS, it is likely that the Texas Legislature will address school finance and tax system reforms in the near future; and

WHEREAS, during theses deliberations by the Texas Legislature, proposals to limit the ability of cities to collect property taxes and sales taxes are likely to be offered by some members of the Legislature; and

WHEREAS, additional restrictions on city taxes fly in the face of a history of frugal tax administration by Texas cities; and

WHEREAS, all Texas cities combined collect only 15.3 percent of all property taxes collected in the State of Texas, while schools collect more than 60 percent; and

WHEREAS, between 1985 and 2002, the municipal share of all property tax revenue fell from 20.3 percent to 15.3 percent; and

WHEREAS, Texas cities rely on tax revenue to build basic infrastructure, to ensure public safety through police and fire departments, and to provide numerous essential services for city residents, who are 80 percent of the state's population; and

WHEREAS, Texas cities engage in numerous economic development activities that produce jobs and revenue for the entire State of Texas; and

WHEREAS, cities must meet the challenges of homeland security and compliance with state and federal mandates, many of which are unfunded mandates; and

WHEREAS, Texas cities have shown over the years that they are fiscally responsible and good stewards of taxpayers' money; and

WHEREAS, efforts to limit the ability of cities to collect sales and property tax revenues or to set tax rates would have severe negative impacts on city services, city employees, economic development efforts, and ultimately the citizens of the State of Texas;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS:

That the governing body of the City of Laredo will oppose all school finance or tax reform efforts by the Texas Legislature that negatively impact the ability of the City to provide basic essential services, conduct economic development activities, and ensure public safety by limiting our ability, beyond the provisions of current law, to collect property tax or sales tax revenues.

PASSED AND ADOPTED this	day of	, 2004.
Mayor, City of Laredo, Texas.		
ATTEST:		
City Secretary		
APPROVED AS TO FORM.		



RESOLUTION NO. 2004-R-032

RESOLUTION EXPRESSING THE CONDOLENCES OF THE CITIZENS OF THE CITY OF LAREDO, TEXAS, USA, TO THE CITIZENS OF MADRID, SPAIN AND THE PEOPLE OF SPAIN FOR THE TRAGEDY OF THE TERRORIST ATTACKS OF MARCH 11, 2004, AND DIRECTING THE CITY SECRETARY TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE KING OF SPAIN AND THE MAYOR OF OUR SISTER CITY OF LAREDO, CANTABRIA, SPAIN.

WHEREAS, the City of Madrid, Spain fell victim to multiple attacks of terrorism with the bombing of three commuter trains which claimed 202 lives on March 11, 2004;

WHEREAS, the citizens of Laredo, Texas, were deeply shocked on hearing about the acts of terrorism committed against commuters in Madrid Spain;

WHEREAS, the City of Laredo mourns with the people of Spain for the loss of precious lives and the loss and injury inflicted on their loved ones;

WHEREAS, it reminds us of the similar horror inflicted to many in the United States on September 11, 2001, and makes us feel a solidarity with the countless victims of international terrorism; and

WHEREAS, the City of Laredo offers its condolences and support to the entire nation of Spain during this time of tragedy and recovery;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT;

Section 1: The City of Laredo express its condolences and support to the residents of the City of Madrid, Spain, and the citizens of Spain,

Section 2: The City Secretary transmit a certified copy of this resolution to the King of Spain and the Honorable Don Santos Fernandez Revolvo, Mayor of our sister city of Laredo, Cantabria, Spain.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS DAY OF MARCH, 2004.

ELIZABETH G. FLORES MAYOR

ATTESTED:
GUSTAVO GUEVARA, JR. CITY SECRETARY
APPROVED AS TO FORM:
JAIME FLORES CITY ATTORNEY

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DATE	SUBJECT: RESOLUTION NO.	. 2004-R-0-033		
	A resolution of the City of Laredo	to develop and implement a 10-Year Plan to End		
03-29-04	Homelessness throughout the community by providing access to permanent and			
	transitional housing and the needed support services.			
INITIATI	ED BY:	STAFF SOURCE:		
Cynthia Co		Erasmo A. Villarreal		
•	City Manager	CD Director		
Upprotective C	nty Managor	CD Director		
PREVIOI	JS COUNCIL ACTION:			
None.	ob Cochell Me Hom.			
BACKGR	OUND			
		elessness has adopted several Administration, state,		
		One of these is the elimination of chronic		
	ess within 10 years.	One of these is the emmination of emoline		
nomelessii	ess within 10 years.			
m. 1	4 - 1 C - 114 (- 4t - G11211			
		on at the local and regional level, the Interagency		
		Martinez, established 10 regional Coordinator		
-	<u>-</u>	ble for working with local governments and other		
agencies to	coordinate their collective efforts to	reduce and end homelessness.		
		-		
FINANCI	AL IMPACT:			
None				
COMMIT	TEE RECOMMENDATION:	STAFF RECOMMENDATION:		
N/A	TEE RECOMMENDATION.	Staff recommends approval of Resolution.		
IN/A		Start recommends approval of Resolution.		

RESOLUTION NO. 2004-R- 033

A RESOLUTION OF THE CITY OF LAREDO TO DEVELOP AND IMPLEMENT A 10-YEAR PLAN TO END CHRONIC HOMELESSNESS THROUGHOUT THE COMMMUNITY BY PROVIDING ACCESS TO PERMANENT AND TRANSITIONAL HOUSING AND THE NEEDED SUPPORT SERVICES.

WHEREAS, the City of Laredo plans to develop a 10-Year Plan to End Chronic Homelessness so that in ten years, all individuals and families facing homelessness in Laredo will have access to safe, decent, and affordable housing and the resources and support services needed to sustain them; and,

WHEREAS, in that regard, over the past several years, the amount of money spent on homelessness in Laredo has increased and so has the number of individuals and families who have become homeless; and,

WHEREAS, in order to proceed with the development of this plan, the City of Laredo, through a comprehensive cross systems strategy, will work with service providers that promote housing stability and self-sufficiency, work to expand the availability of affordable permanent housing, and work to provide transitional services that ensure access to community resources

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

- A. It hereby accepts the development of a 10-Year Plan to End Chronic Homelessness in the City of Laredo so that in ten years, all individuals and families facing homelessness in Laredo will have access to safe, decent, and affordable housing and the resources and support services needed to sustain them.
- A. This Resolution shall become effective upon passage thereof.

	L AND APPROVED BY THE MAYOR ON , 2004.
	ELIZABETH G. FLORES
	MAYOR
ATTEST:	
GUSTAVO GUEVARA, JR CITY SECRETARY	
APPROVED AS TO FORM: JAIME L. FLORES CITY ATTORNEY	
By: ANTHONY C. McGETTRICK ASST. CITY ATTORNEY	_

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DATE:	SUBJECT: MOTION						
03-29-04	Authorizing the City Manager to execute an Interlocal Agreement between the City of Laredo and the County of Webb in the amount of \$36,026.00 for the provision of addressing for all unincorporated areas in Webb County and addressing maintenance for all of Webb County, including the incorporated area of the city of Laredo, for the period ending August 31, 2004.						
INITIATED BY:		STAFF SOURCE:					
Larry Dovalina, City Manager		Jessica L. Hein, Assistant to the City Manager					
PREVIOUS COU	NCIL ACTION:						
None.							
BACKGROUND:							
		-					
FINANCIAL IMPA	CT:						
Funding is availab	le in General Fund Resen	ve Account.					
COMMITTEE REC	COMMENDATION:	STAFF RECOMMENDATION:					
N/A		Approval of this Motion.					

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	COUNCIL COMMUNICATION				
DATE:	SUBJECT: MOTIONS				
	Approval to appoint Dr. Maurice Click to continue to serve as the Health				
03/29/2004	Department's Health Authority under Section 121.033 of the Texas Health and				
	Safety Code, for the period of April 1, 2004, through March 31, 2006, and				
	authorizing the City Manager to enter into a contract with Dr. Click for				
	professional services in the amount not to exceed \$12,720 per year. Funding is				
	available in the Office of Public Health Practice grant.				
INITIATED	BY: STAFF SOURCE:				
Cynthia Colla	Hector F. Gonzalez, M.D., M.P.H.				
Asst. City Ma	anager Health Director				

PREVIOUS COUNCIL ACTION: On April 3, 2000, Council approved the appointment of Dr. Maurice Click to serve as Health Authority for the City of Laredo Health Department. Dr. Click was selected from a group of physicians that submitted statements of interest for the position.

BACKGROUND:

As defined in the Vernon's Texas Codes Annotated, Health and Safety Code, Chapter 121, "LOCAL PUBLIC HEALTH REORGANIZATION ACT", Subchapter A, Section 121.033, a director of a local health department who is not a physician shall appoint a physician as the health authority in the local health department's jurisdiction, subject to approval of the governing body.

Dr. Maurice Click is a well-trained physician with relevant experience for this position. Dr. Click also has a Master's Degree in Public Health, which helps him better serve in the position of Health Authority. He has served his first term of office excellently and should be re-contracted for another term of office.

Compensation is \$1,060 per month or \$12,720 per year and is currently budgeted in the Office of Public Health Practice grant.

PROGRAM	PROVIDER NAME	CONTRACT	DATE GRANT AND BUDGET APPROVED
		AMT. (NOT TO	BY COUNCIL/TERM
		EXCEED)	
ОРНР	MAURICE CLICK, M.D.	\$12,720	APRIL 1, 2004, THROUGH
226-6017		peryear	MARCH 31, 2006.
	 		

FINANCIAL: Funding for the grant year ending August 31, 2004, is available in the Physicians account (226-6017-543-5528). Funding for the remainder of the contract term is contingent on the availability of funds in next year's grant.

RECOMMENDATION:	STAFF: Recommends that Council
	approve the contract.

	SUBJECT: MOTIONS					
March 29, 2004	Consideration to approve a contract with Washington's Birthday Celebration Museum of Laredo, Texas, to oversee day-to-day operations of the Museum located at 900 Zaragoza Street, Suite 100, which is filled with costumes and other paraphernalia commemorating and promoting Laredo's oldest and largest celebration. The City of Laredo CV will also operate the venue as an Information Center and will hire 1.5 personnel for daily management.					
INITIATED BY:		STAFF SOURCE:				
	Assistant City Manager	Nick Marks Reyna, Director Laredo Convention & Visitors Bureau				
PREVIOUS COU	INCIL ACTION:					
On August 19, 200 of the WBC Muse		oproved an agreement to oversee the day-to-day operations				
BACKGROUND	:					
costumes, photogragreement with W	aphs and other paraphernalia c	omed on February 14, 2001 as the primary venue to exhibit ommemorating the celebration. The Council approved an y operations of the Museum and to utilize the Museum as				
costumes, photogragreement with Wan Information Ce The previous agreemanagement experious WBCM has not co	aphs and other paraphernalia c BCM to oversee the day-to-day nter to assist visitors. The ement stated that the WBCM was incurred in relation to the emplied with the payment of the wBCM is currently in arrear	ommemorating the celebration. The Council approved an				
costumes, photogragreement with Wan Information Ce The previous agreemanagement experious agreemanagement experious was management experious. Was not confrom other sources fully paying this as For the good of the Museum by the Ci	aphs and other paraphernalia c BCM to oversee the day-to-day nter to assist visitors. The ement stated that the WBCM was incurred in relation to the emplied with the payment of the WBCM is currently in arrear mount. The community, school children at the of Laredo to be of great imparts.	ommemorating the celebration. The Council approved an y operations of the Museum and to utilize the Museum as would reimburse LCVB on a monthly basis for operation of the Museum and Information Center. The e costs of operations due to lack of grants and funding s in the amount of \$9,460.74; and they are committed to and visitors to Laredo, LCVB considers the funding of the				
costumes, photogragreement with Wan Information Ce The previous agreemanagement experious agreemanagement experious was management experious. Was not confrom other sources fully paying this as For the good of the Museum by the Ci	aphs and other paraphernalia c BCM to oversee the day-to-day nter to assist visitors. ement stated that the WBCM venses incurred in relation to the emplied with the payment of the s. WBCM is currently in arrear mount. e community, school children a ty of Laredo to be of great imp "WBCM serves to educate even	ommemorating the celebration. The Council approved an y operations of the Museum and to utilize the Museum as would reimburse LCVB on a monthly basis for operation of the Museum and Information Center. The e costs of operations due to lack of grants and funding s in the amount of \$9,460.74; and they are committed to and visitors to Laredo, LCVB considers the funding of the portance. Recently designated as one of the top "100 Events"				
costumes, photogragreement with Wan Information Ce The previous agreemanagement experious agreemanagement experious was management experiously paying this artificial paying this artificial for the good of the Museum by the Ci in North America, FINANCIAL IMP	aphs and other paraphernalia c BCM to oversee the day-to-day nter to assist visitors. The ment stated that the WBCM was incurred in relation to the amplied with the payment of the wBCM is currently in arrear mount. The community, school children at the community, school children at the wBCM serves to educate ever the community. The community is considered to be of great important. The community is considered to be of great important.	ommemorating the celebration. The Council approved an y operations of the Museum and to utilize the Museum as would reimburse LCVB on a monthly basis for operation of the Museum and Information Center. The e costs of operations due to lack of grants and funding s in the amount of \$9,460.74; and they are committed to and visitors to Laredo, LCVB considers the funding of the portance. Recently designated as one of the top "100 Events"				

Staff recommends approval.

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COUNCIL COMMUNICATION					
DATE:		(1) amend its 2002 Emergency Shelter Grant (ESG)			
contract with the Laredo Homeless Coalition by reducing the amount of shelter operation funds by a total of \$15,000.00, from \$60,000.00 to \$45,000.00, and (2) to enter into contract and award the \$15,000.00 to Casa De Misericordia for shelter operations of Casa De Misericordia. Theses changes pertain to 2002 Emergency S Grant Funds which are made available by the U.S. Department of Housing and Urb Development.					
INITIATED BY:	Cynthia Collazo Assistant City Manager	STAFF SOURCE: Erasmo A. Villarreal CD Director			
\$15,000.00, and (2) entering into contract and awardi	or operational funds by \$60,000.00, from \$75,000.00 to fing \$60,000.00 in 2002 ESG funds made available by fion of La Frontera Halfway House.			
BACKGROUND					
As a result of the s Laredo was awarde and Urban Develop	ubmission and approval of a Consoled \$153,000.00 in Emergency Shelpment. The ESG program required	olidated One Year Action Plan for 2002, the City of Iter Grant funds by the U.S. Department of Housing that all funds be committed within 180 days of 24 months, or be recaptured by HUD.			
the 2002 ESG fund interest in obtainin LHC was awarded for operation of the received additional	ls. The Laredo Homeless Coalition g these funds to rehabilitate and to \$45,000 in 2002 ESG funds for reshelter once it had been rehabilitate funding from the Bruni Vergara F	from local homeless service providers for the use of n (LHC), a nonprofit organization, expressed an operate the building located at 815 Hidalgo St. The habilitation of the shelter and an additional \$75,000 ated. During the design phase of the project, the LHC Foundation to expand on the scope of the rehabilitation. On date for the rehab by several months.			

Background Continued on page 2

FINANCIAL IMPACT:

2002 Emergency Shelter Grant / Act.#: 219-8552-563-5566.....\$15,000.00

RECOMMENDATION:	STAFF RECOMMENDATION: That
N/A	the City Manager be authorized to amend
	its 2002 ESG shelter operation contract
	with the LHC by reducing it by
	\$15,000.00 and enter into contract with
	Casa De Misericordia in the amount of
	\$15,000.00 for operation of the shelter
	with 2002 ESG funds provided by HUD.

Background Continued from Page 1

Because the LHC felt that they would no longer be able to expend all the operational funds within their contract deadline of June 1, 2004, the LHC submitted a request to reduce the amount of their operational funding from \$75,000 to \$15,000. On 1/12/04 Council approved awarding the recaptured \$60,000.00 to Catholic Social Services Inc. for shelter operation of La Frontera Halfway House. Now, due to additional delays in completing their project, the LHC is requesting that the remaining \$15,000.00 in operational funds be reduced from their contract.

In order to prevent recapture of the \$15,000.00 by HUD, the City requested proposals for use of these funds from other service providers. Proposals were received from Catholic Social Services of Laredo, Inc., Sacred Heart Children's Home, and Casa De Misericordia. Staff is recommending that Casa De Misericordia, a non-profit organization providing shelter to women and children who are victims of domestic violence, be awarded these funds. Casa De Misericordia proposes to utilize the operational funds for the costs associated with maintenance and repairs for the shelter and is willing to provide the in-kind match.

			,

SUBJECT: MOTION DATE Authorizing the City Manager to execute a six-month contract Extension Agreement and allocating an additional \$109,554.00 to the originally approved budget in the 03-29-04 amount of \$215,762.00, of a Professional Services Contract entered into with W. D. Schock Company, Inc., for the provision of residential sound reduction services, as part of the City of Laredo International Airport Noise Compatibility Program. Said contract includes other services yet to be determined such as legal work, title and air space easements, recording, and environmental testing. These items will be done by subcontractors that will be screened by W. D. Schock Company, Inc. To date, the original current contract has incurred \$78,300.00 of to-be-determined expenses. INITIATED BY: **STAFF SOURCE:** Angelo Ferrazzano Cynthia Collazo Real Estate Manager Assistant City Manager PREVIOUS COUNCIL ACTION: None. **BACKGROUND:** On February 18, 2003, the City of Laredo entered into a Consultant Contract with W. D. Schock Company, Inc., Nashville, Tennessee, for the rendering of certain administrative and management services for an approved Airport Noise Compatibility Program, Residential Sound Reduction Project, which consists of 30 homes to be soundproofed. Said contract was to be effective from March 3, 2003 through March 2, 2004. A six month extension will be necessary in order to complete the above-mentioned project. FINANCIAL IMPACT: Funding for this project is available under Account # 254-3690-563-5511 and 254-3698-563-5511. COMMITTEE RECOMMENDATION: STAFF RECOMMENDATION: Staff recommends passage of Motion. N/A

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DATE: SUBJECT: MOTIONS Consideration to award contact FY04-059 to the low bidder, Ceres Environmental, Brooklyn Park, MN., in the estimated annual amount of \$36,880.00 for the grinding of wood waste material (brush, branches, pallets, etc.,) at the City landfill. Approximately 15,000 cubic yards of material are available for disposal. The contract is based on a unit cost of \$1.39 cubic yard of material which is 2% less than the

INITIATED BY:

Larry Dovalina, City Manager STAFF SOURCE:

previous contract amount. Funding is available in the solid waste fund.

Oscar J. Medina, Solid Waste Dept. Director Francisco Meza, Purchasing Agent

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND: The City received two bids for awarding a contract for the grinding of wood waste material (brush, branches, pallets, etc.,) at the City landfill. Approximately 15,000 cubic yards of material are available for disposal. The term of this contract will be for a period of one year with an option to extend the contract for six (6) scheduled visits requested by the City over the next four years.

Bid Summary	Est. Qty.	Unit Price	Total
Ceres Environmental – option 1, one grinding of same material	15,000 cubic yards	\$1.39/cyd	\$20,850.00
Ceres Environmental - option 2, two grindings of same material	7,000 cubic yards	\$2.29/cyd	\$16,030.00
			\$36,880.00
Austin Wood - option 1, one grinding of same material	15,000 cubic yards	\$1.55/cyd	\$23,250.00
Austin Wood – option 2, two grindings of same material	7,000 cubic yards	\$3.10/cyd	\$21,700.00
			\$44,950.00

FINANCIAL IMPACT: Funding for this service is available in the Solid Waste Fund budget.

Solid Waste Fund - Contractual Services, Professional Services

Account Number: 556-2560-533-5500

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATION: It is recommended that this contract be approved.

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DATE: 3/29/04 SUBJECT: MOTION Approving monthly adjustments to the tax roll. The amount to be adjusted for month of February 2004, represents an increase of \$82,563.87. These adjustments are determined by Webb County Appraisal District and by court orders.							
INITIATED	BY:	STAFF	SOURCE				
CYNTHIA C	•	ELIZAB	BETH MARTINEZ				
ASSISTANT	CITY MANAGER	TAX AS	SSESSOR-COLLECTOR				
	COUNCIL ACTION: x roll each year.						
Under Secti "the Assess appraisal ro with amount roll."This po of the City A	BACKGROUND: Under Section 26.09, Calculation of Tax, paragraph (e) of the Texas Property Tax Code, "the Assessor shall enter the amount of tax determined as provided by this section in the appraisal roll and submit it to the governing body of the unit for approval. The appraisal roll with amount of tax entered as approved by the governing body constitutes the unit's tax roll. "This point was brought up by an opponent in a tax lawsuit. It was the recommendation of the City Attorney and the Tax Collections Attorney, that adjustments be approved each month, in addition to the tax roll being accepted with adjustments.						
FINANCIAL: Potential revenues will increase due to an increase in levy in the amount of \$82,563.87.							
COMMITTE	E RECOMMENDATION:		STAFF RECOMMENDATION: Approval				

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DATE:	SUBJECT: MOTION
3/29/04	Refund of property tax to the following taxpayers and companies:
	 A refund in the amount of \$2,052.28 payable to Guaranty Residential Lending due to a double payment. Account # 968-81001-020.
	 A refund in the amount of \$737.57 payable to Chase Mortgage due to a double payment. Account # 909-00481-042.
•	 A refund in the amount of \$1,010.64 payable to Border Title Group due to double payment. Account # 909-40002-050.
	 A refund in the amount of \$3,078.78 payable to Holt Company of Texas due to a double payment. Account # 804-30098-001.
	 A refund in the amount of \$3,921.81 payable to Ayoub Investments-Texas due to a clerical error certified by the Webb County Appraisal Review Board. Order # 03-6255 of Supplement # 1. Account # 977-30003-140.
IS	6. A refund in the amount of \$634.86 payable to Juan A. Esparza due to a double payment. Account # 936-00009-140.
	7. A refund in the amount of \$524.90 payable to The Laredo National Bank due to an erroneous payment. Account # 968-80003-060.

Vasquez Diaz due to an over payment Account # 977-30001-050				
INITIATED	STAFF SOURCE			
CYNTHIA COLLAZO,	ELIZABETH MARTINEZ			
JASSISTANT CITY MANAGER	ITAY ASSESSOR COLLECTOR			

8. A refund in the amount of \$1,000.02 payable to Jose Vasquez Ancira and Luis F.

PREVIOUS COUNCIL ACTION:

City council has previously approved requests for refunds over \$500.00 as required by State Law.

BACKGROUND:

Every month the Webb County Appraisal District submits to the City of Laredo changes of values certified by the WCAD Review Board. Some of these changes require tax refunds be issued due to clerical errors, double assessments, over assessments, over 65 exemptions, did not exist on the 1st of the year, exempt property and combined properties. As per Section 26.15 (f) of the Texas Property Tax Code "If a correction decreases the tax liability of a property owner after the owner has paid the tax, the taxing unit shall refund to the property owner the difference between the tax paid and the tax legally due. As per Section 31.11 (c) of the Texas Property Tax Code "An application for a refund must be made within three years after the date of the payment or the taxpayer waives the right to the refund." A taxpayer may request a refund if an overpayment or an erroneous payment was made. As per Section 42.43 (a) of the Texas Property Tax Code "If the final determination of an appeal that decreases a property owner's tax liability occurs after the property owner has paid his/her taxes, the taxing unit shall refund to the property owner the difference between the amount of taxes paid and amount of taxes for which the property owner is liable."

FINANCIAL:

The city of Laredo will refund an amount of \$22,749.91. It will be paid from line item Revenue/Unapplied Payments. Account # 101-0000-222-0300.

COMMITTEE RECOMMENDATION:	STAFF:
	Approval of these refunds as detailed above.
	<u> </u>

Date 3/29/04 9. A refund in the amount of \$945.05 payable to Aurora Loan Services, Inc. due to a double payment. Account # 990-20014-050. 10. A refund in the amount of \$569.99 payable to Araceli Gallo due to an erroneous payment. Account # 811-18000-186. 11. A refund in the amount of \$8,274.01 payable to Lowe's Home Center Inc. due to a decrease in value certified by the Webb County Appraisal Review Board. Case # 2002CVQ000976-D2 of Supplement # 8. Account # 976-20002-300.

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	CO	UNCIL COMMUNICATION
DATE : 03/29/04	Toter Inc., Statesville	norize the purchase of nine thousand (9,000) garbage/refuse carts from e, NC through the State of Texas Contract Number 450-A2 for Two icing in the total amount of \$351,000.00. Funding for these carts ha
INITIATED	BY:	STAFF SOURCE:
Larry Dovalin	a	Oscar J. Medina, Solid Waste Department Director
City Manager		Francisco Meza, Purchasing Agent
Reimbursemer		old was adopted on February 2, 2004 and a public hearing and an held on February 2, 2004. The final reading was on February 17,
BACKGROU	ND:	
Department. automated and delivery.	These waste containers I automated systems.	urchase nine thousand universal rollout containers for the Solid Waste are designed for household garbage and can be used with both semi-Price per cart is \$39.00 and includes assembly and door-to-door from the first to fully automate the City's garbage collection system.
FINANCIAI	L:	
Funds for the	purchase of this equip	oment is available in following account:
Solid Waste	Fund – Sanitation, Ma	terials and Supplies – Minor Apparatus and Tools
Account Nur	nber: 556-2550-532-2	400
RECOMME	NDATION:	STAFF:

Staff recommends approval of this motion.



DATE:	SUBJECT: Motion(s)	SUBJECT: Motion(s)				
03/29/04	, –	quest for proposals (RFP) for the Rail Line Relocation s budgeted \$60,000 for the project and funding is available				
INITIATE Cynthia Co	D BY: Ilazo, Assistant City Manager	STAFF SOURCE: Keith Selman, Director of Planning				
PREVIOU	S COUNCIL ACTION:					

None BACKGROUND:

The Unified Planning Work Program describes and schedules work to be undertaken by the MPO during the 2003-2004 fiscal period. The development of the Rail Line Relocation Feasibility Study is an objective of the 2004 Unified Planning Work Program, adopted by the committee known as the Laredo Urban Transportation Study in Subtask 5.1. The objectives of the study are:

- 1) To assess the feasibility of relocating existing rail lines in Laredo, TX to enhance the safety of the traveling public and expedite the flow of cars and trucks within and through Laredo.
- 2) Evaluate existing conditions, including but not limited to traffic generators and attractors.
- 3) Evaluate future conditions based on socio-economic forecasts, existing plans by the City and proposals forwarded by the selected consultant.
- 4) To develop alternatives to relocate existing rail lines and assess the feasibility of each.
- 5) To assess the impact that proposed alternatives would have on the safety of the traveling public and the movement of cars and trucks.
- 6) To estimate cost savings and quantify intangible benefits, to include environmental benefits, for each proposed alternative.
- 7) To assess the impact each alternative will have on to the community, identify capital improvements necessary, develop detailed cost estimates and perform a cost/benefit ratio and feasibility analysis for proposed improvements.
- 8) To provide an incremental implementation plan and identify potential funding sources for feasible alternatives.
- 9) Coordinate with all agencies involved in the development of the study, including but not limited to the City of Laredo, County of Webb, Texas Department of Transportation (TxDOT), Federal Highway Administration, Federal Railroad Administration, etc.
- 10) Ensure public participation in the development of the study, which shall include but not be limited to presentations to the MPO Policy Committee and the Laredo City Council.

FINANCIAL IMPACT:	
None.	
COMMITTEE RECOMMENDATION:	STAFF RECOMMENDATION:
The LUTS Technical Committee recommends	Staff recommends approval.
approval.	



DATE:	SUBJECT: Motion							
3/29/04	Amending the construction contract with Landmark Structures Inc., for the oversizing of the SH 359 Work Order #6 Elevated Storage Tank from 250,000 gallons to 500,000 gallons. The contract is subject to the approval by the Texas Water Development Board. This amendment increases the contract by \$92,000.00 from \$913,950.00 to \$1,005,950.00.							
INITIATE	D BY:	STAFF SOUR	RCE:					
Larry Dova	alina, City Manager	Heberto L. Rami	irez, Utilities Director					
PREVIO	JS COUNCIL ACTION:							
Contract v	vas awarded to Landmark Structures Inc.,	, on February 1	7, 2004.					
Planning A	Order #6 consists of an Elevated Storage Tareas. The construction time is 300 calendar of the construction time.	days.	adequate pressure to Colonias within SH 359 c City Secretary's Office as follows:					
			Alternate Bid					
	struction, Inc. \$1,177	7,000.00	\$1,202,000.00					
2. Landma	rk Structures Inc. \$883,0	00.00	\$1,005,950.00					
I .	nd bid bonds were checked and found to be in 0.00 to Landmark Structures Inc.	n order. Therefo	re, staff recommends award in the amount of					
FINANCI	AL IMPACT:							
Funding i	s available in the Colonias Construction I	Fees (Acct. #45	1-8310-535-9301)					
COMMIT	TEE RECOMMENDATION:	STAFF REC	COMMENDATION:					
N/A		To award the	contract amendment.					

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DATE:	SUBJECT: MOTION		
3/29/04	Authorizing the City Manager to amend a professional services contract to Professional Operations, Inc., Dallas, Texas in the amount of \$14,940.00 for services related to the update and adjustment of the Rate Study in order to anticipate the current needs of the Capital Improvement Plan. The Rate Study will be used to plan future bond issuances. Funding is available in the Impact Fees (Acct. # 559-4240-538-0151 and 557-4150-538-0151).		
INITIATE	D BY:	STAFF SOURCE:	
Larry Dovalina, City Manager		Heberto L. Ramirez, Utilities Director	
PREVIOL	JS COUNCIL ACTION:		
Contract	vas awarded to Pro-Ops, Inc., on Februa	ry 20, 2001	
BACKGE		19 20, 2001.	
improvem The rate st necessary issuances.	ents plan was constructed and to identify udy needs to be updated since the contribution order to complete the rate study and to	and fees structure study to insure that the capital y and track impact fee payments to projects. act was awarded over three years ago. This update is the adjustment that is required to plan future bond	
FINANCIAL IMPACT:			
Funding is available in the Impact Fees (Acct. # 559-4240-538-0151 and 557-4150-538-0151).			
COMMIT	TEE RECOMMENDATION:	STAFF RECOMMENDATION:	
N/A		To award the contract amendment.	

DATE:

O3/29/2004

SUBJECT: MOTION(S)

Consideration for approval of the selection of consultant Saldana and Associates, Inc.,
San Antonio, Texas, in association with Mr. Joe C. Freeman, Architect Historic
Preservation Consultant, Austin, Texas, for the Former Southern Hotel 1200 Block of
Matamoros Street and authorization to negotiate a professional services contract.
Funding is available in the 2002 CO Issue Former Southern Hotel.

INITIATED BY:

Larry Dovalina,
City Manager

PREVIOUS COUNCIL ACTION:

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

Ten (10) firms responded to the request for qualifications on Friday, December 19, 2003, at 4:00 P.M. as follows:

- 1. Design Group International, Laredo, Texas
- 2. Architects Plus, Inc., Laredo, Texas
- 3. Cavazos & Associates Architects, Laredo, Texas
- 4. Turner Hickey & Associates, Laredo, Texas
- 5. Frank Architects, Inc., Laredo, Texas
- 6. Ashley Humphries & Sanchez Architects, Laredo, Texas
- 7. Saldana and Associates, Inc., San Antonio, Texas
- 8. Harry Jewett Associates, Laredo, Texas
- 9. Cutler-Gallaway Services, Inc., San Antonio, Texas
- 10. Sepulveda Associates Architects, Laredo, Texas

The proposed scope of services is to include, but not limited to:

Providing professional services relating to the evaluation for renovation, restoration, and/or feasibility plans for mixed use of the former Southern Hotel Building, and adjoining properties. Consultant is to work in close coordination with the Historic District Landmark Board.

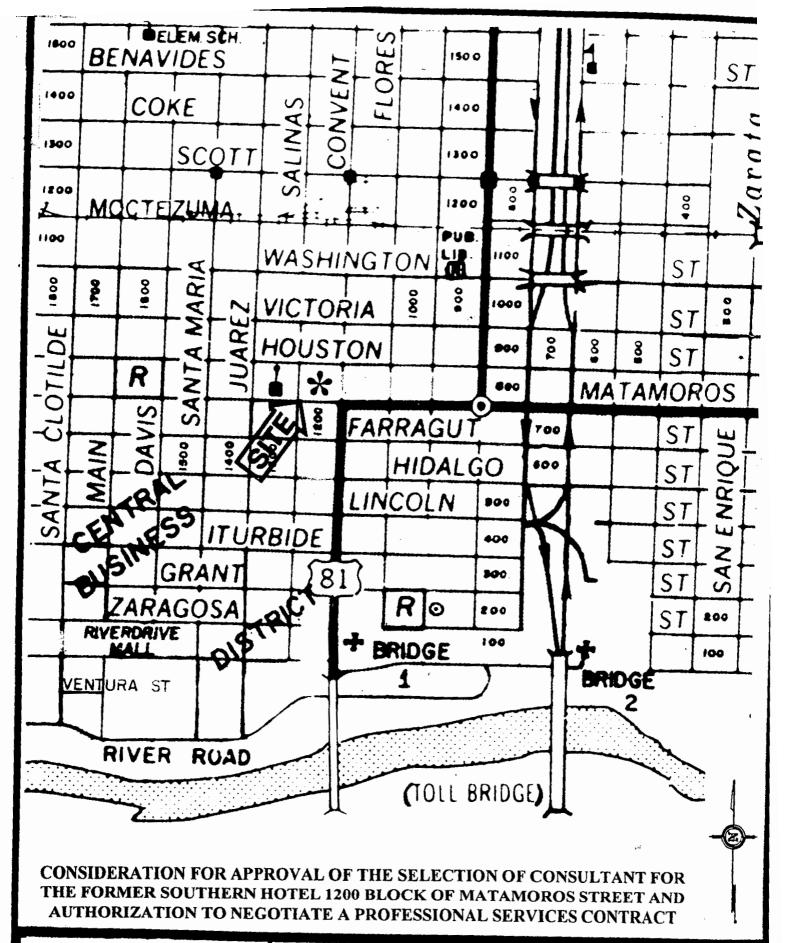
The Staff Committee composed of several City Departments evaluated the submittals and presentations, and based on the City's standard selection criteria (capability to perform, professional background, quality of projects, etc.) Saldana and Associates, Inc., San Antonio, Texas, in association with Mr. Joe C. Freeman, Architect Historic Preservation Consultant, Austin, Texas, is recommended.

FINANCIAL IMPACT:

Funding is available in the 2002 CO Issue Former Southern Hotel.

Account No. 455-9810-535-4877

COMMITTEE RECOMMENDATION:.	STAFF RECOMMENDATION:
This item was presented to the Engineering	Approval of Motion.
Contract Review Committee on Tuesday,	
February 17, 2004, at 5:00 P.M.	

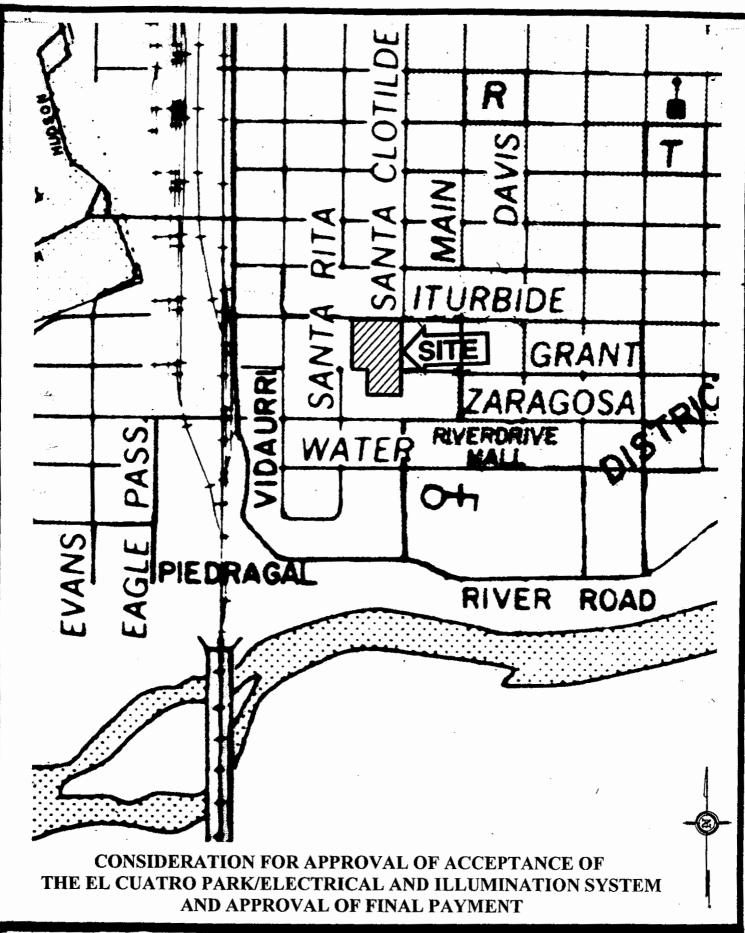


CITY COUNCIL MEETING MARCH 29, 2004 CITY OF LAREDO ENGINEERING DEPARTMENT

AGENDA ITEM

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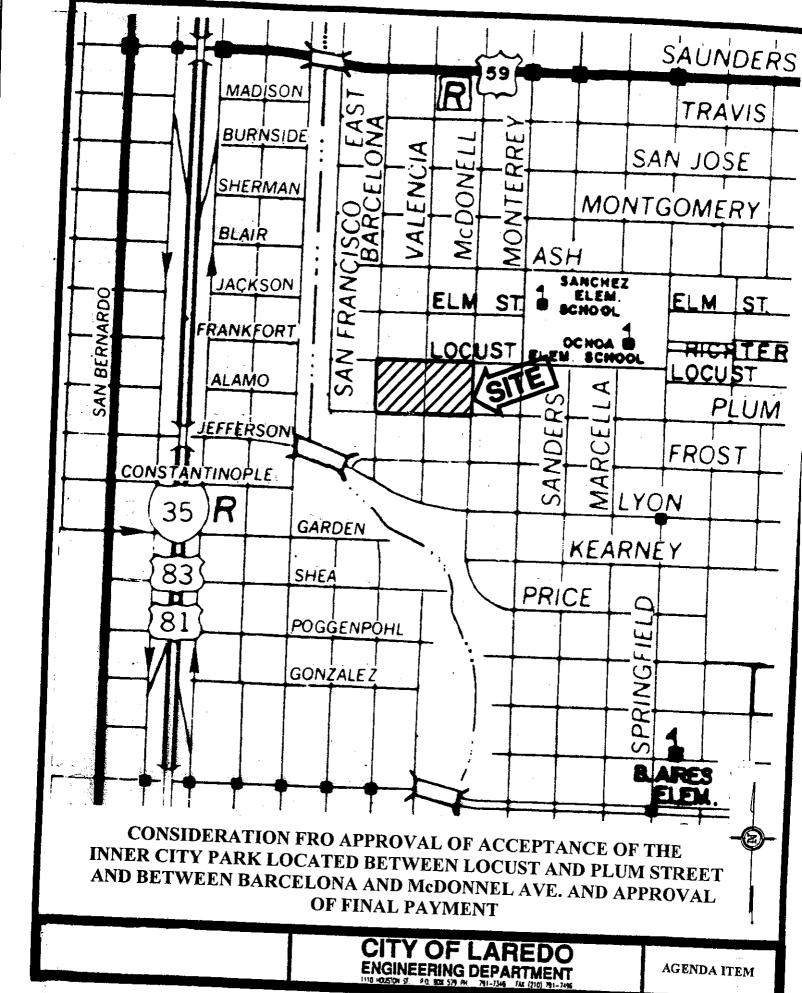
DATE:	SUBJECT: MOTION(S)		
	Consideration for approval of acceptance of the El Cuatro Park/Electrical and		
03/29/2004	Consideration for approval of acceptance of the El Cuatro Park/Electrical and Illumination System and approval of final payment in the amount of \$9,354.87 to Cantu Electric Company, Laredo, Texas. Final contract amount is \$47,246.86. Funding is available in the Community Development Projects/El Cuatro Park - 27th Action Year/2001 Grant.		
INITIATED BY:		STAFF SOURCE:	
Larry Dovalina,		Rogelio Rivera, P.E.,	
City Manager		City Engineer	
<u></u>	DUNCIL ACTION:		
-	aredo, Texas, for the El Cuatro	o award a construction contract to the lowest bidder Cantu o Park/ Electrical and Illumination System Project in the	
		of the electrical system and illumination for the park which	
includes 34 secu Plans and specif	irity lamps, a permanent elect ications were prepared by Ha	of the electrical system and illumination for the park which rical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City	
Plans and specif Engineering Der Original constr (Awarded by Change order of	rity lamps, a permanent elect ications were prepared by Hapartment. ruction contract amount y City Council on October 6	rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 5, 2003) \$1,054.86	
Plans and specif Engineering Dep Original constr (Awarded by Change order n (Awarded by	irity lamps, a permanent electrications were prepared by Hapartment. Fuction contract amount Y City Council on October 6 10. 1 y the City Manager on Nove	rrical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 5, 2003) \$1,054.86 ember 11, 2003)	
Plans and specif Engineering Dep Original constr (Awarded by Change order n (Awarded by To increase	irity lamps, a permanent electrications were prepared by Hapartment. Fuction contract amount Y City Council on October 6 To 1 Y the City Manager on Nove overall capacity of the electrication.	rrical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 5, 2003) \$1,054.86 ember 11, 2003)	
Plans and specif Engineering Der Original constr (Awarded by Change order n (Awarded by To increase foundation	irity lamps, a permanent electrications were prepared by Hapartment. Fuction contract amount	rrical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 5, 2003) \$1,054.86 ember 11, 2003)	
Plans and specif Engineering Dep Original constr (Awarded by Change order n (Awarded by To increase foundation of	irity lamps, a permanent electrications were prepared by Hapartment. Fuction contract amount	rical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 6, 2003) \$1,054.86 ember 11, 2003) trical system and increase \$47,246.86	
Plans and specif Engineering Dep Original constr (Awarded by Change order n (Awarded by To increase foundation of Final construct	ications were prepared by Hapartment. Fuction contract amount Y City Council on October 6 10. 1 Y the City Manager on Nove overall capacity of the elect to support post base. ion contract amount	rical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 5, 2003) \$\frac{1}{2},054.86 Ember 11, 2003) trical system and increase \$47,246.86	
Plans and specif Engineering Dep Original construct (Awarded by To increase foundation Final construct The project was	ications were prepared by Hapartment. Fuction contract amount Y City Council on October 6 10. 1 Y the City Manager on Nove overall capacity of the elect to support post base. ion contract amount completed within the contract amount	rical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 5, 2003) \$\frac{1}{2},054.86 Ember 11, 2003) trical system and increase \$47,246.86	
Plans and specif Engineering Dep Original construct (Awarded by To increase foundation Final construct The project was FINANCIAL II Funding is available Grant.	ications were prepared by Hapartment. Fuction contract amount Y City Council on October 6 10. 1 Y the City Manager on Nove overall capacity of the elect to support post base. ion contract amount completed within the contract amount	rical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 5, 2003) \$1,054.86 ember 11, 2003) trical system and increase \$47,246.86	
Plans and specif Engineering Dep Original construct (Awarded by Change order in (Awarded by To increase foundation Final construct The project was FINANCIAL II Funding is available Grant. Account No. 21	ications were prepared by Hapartment. Fuction contract amount Y City Council on October 6 10. 1 Y the City Manager on Nove overall capacity of the elect to support post base. ion contract amount completed within the contract amount the contract amount	rical meter and electrical panels. rry Jewett Associates, Inc., Laredo, Texas, and City \$46,192.00 5, 2003) \$1,054.86 ember 11, 2003) trical system and increase \$47,246.86	



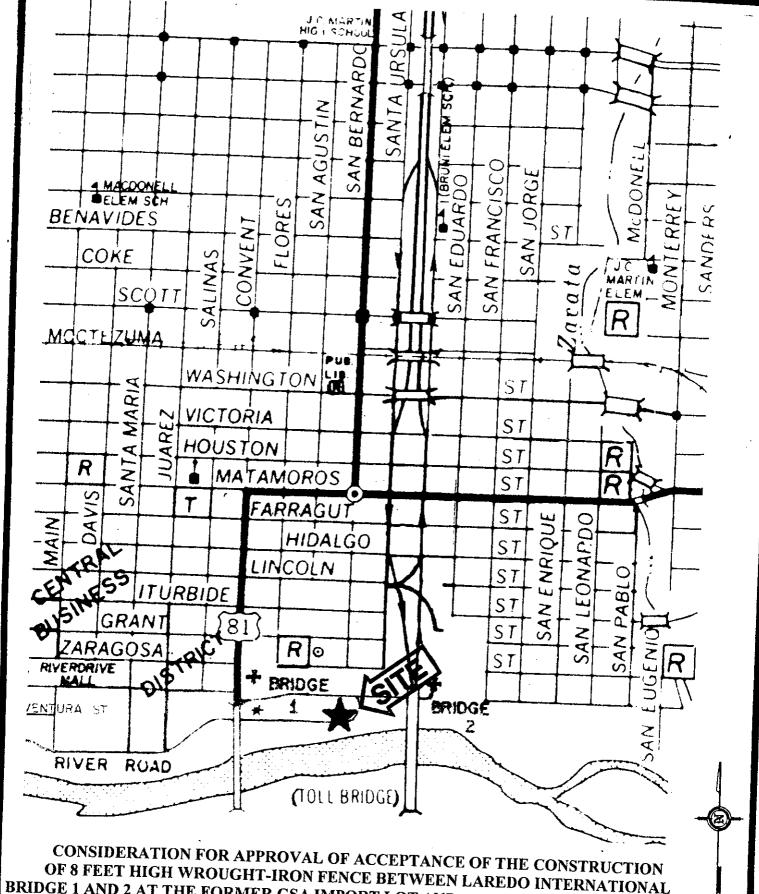
CITY COUNCIL MEEETING MARCH 29, 20004 CITY OF LAREDO ENGINEERING DEPARTMENT

AGENDA ITEM

DATE:	SUBJECT: MOTION(S)		
03/29/2004	Consideration for approval of acceptance of the Inner City Park located between Locust and Plum Streets and between Barcelona Avenue and McDonnel Avenue, and approval of final payment in the amount of \$60,675.09 to Leyendecker Construction, Inc., Laredo, Texas. Final contract amount is \$2,576,691.35. Funding is available in the Inner City Park and Retainage Payable.		
INITIATED B		STAFF SOURCE:	
Larry Dovalina,	•	Rogelio Rivera, P.E.,	
City Manager		City Engineer	
	OUNCIL ACTION:	City Linguistic	
		ler no. 5 an increase of \$23,963.18 to the construction contract	
		for the Inner City Park located between Locust and Plum	
Streets and between	en Barcelona Avenue and McDonne	el Avenue for additional construction items requested by Staff	
and which will en	hance the maintenance of the facilit	ty and increase the safety of the building structures.	
BACKGROUN		y and moreuse the safety of the bunding structures.	
		approximately four (4) acres of land (2 full city blocks) into a	
nark area to inclu	de but not limited to a technology	ecreational facility with computer, camera, and audio/visual	
related programm	ing and equipment a large multi-nu	rpose room, and other areas for miscellaneous activities, and	
		eated, covered swimming pool for year round use,	
nlavorounde blee	chere walking trail and miscallone	ous play scapes, parking, lighting, and landscaping. Plans	
		es & Sanchez Architects, Laredo, Texas.	
and specifications	were prepared by Asiney Humphil	es & Sanonez Mennects, Lateuo, 1exas.	
Original Constru	etion Contract	\$2,546,000.00	
	City Council January 13, 2003)	·····································	
		\$ 1,180.01	
	City Manager on April 17, 2003)	1,100.01	
- - -	ansformer per Central Power & 1	Light/AEP.	
		\$ 642.00	
(Approved by	City Manager on September 10, 2	2003)	
	ent of ten (10) original passage set		
_	rity in the facility.		
		\$ 2,993.96	
(Approved by	City Manager on November 17, 2		
For details of	the telecom/data system and door	s hardware that initially	
were not cons	idered.	·	
Change order no	. 4	\$ 1,912.20	
(Approved by	City Manager on November 17, 2	003)	
		al price was submitted for 10'2" poles.	
		<u>\$ 23,963.18</u>	
	City Council on March 1, 2004)		
	d construction items requested by		
		e safety of the building structures.	
Final constructio	n contract amount	\$2,576,691.35	
		es the building structures, swimming pool and site facilities,	
		farch 1, 2004 pending. Acceptance of the buildings will give	
		of the buildings. Final payment is to be made upon	
completion of cha			
FINANCIAL IN	:		
- -	ole in the Inner City Park and Retain		
	9857-535-4873 and 447-0000-206-0		
	RECOMMENDATION:	STAFF RECOMMENDATION:	
N/A.	•	Approval of Motion.	



TO A STATE .	CIDIFOR, MORIONIO		
DATE:	SUBJECT: MOTION(S)		
02/20/2004		acceptance of the Construction of 8 feet high	
03/29/2004		aredo International Bridges 1 and 2 at the former GSA	
]		I payment in the amount of \$7,639.00 to J. Solis	
	Maintenance and Welding Serv	rices, Laredo, Texas. Final contract amount is	
	\$76,390.00. Funding is availab	ole in the Bridge System Retainage Payable.	
INITIATED B	Y:	STAFF SOURCE:	
Larry Dovalina,		Rogelio Rivera, P.E.,	
City Manager		City Engineer	
PREVIOUS CO	OUNCIL ACTION:		
l .		construction contract to the lowest bidder J. Solis	
		in the alternate bid amount of \$77,805.00 for the	
		between Laredo International Bridges 1 and 2 at the	
former GSA im		between Barodo Mieriadional Dridges I and 2 at the	
tornior objeting	port lot.		
BACKGROUN	ın.		
		surought iron & foot high fance between Intermedicus	
Deidoog Land 2	at the CSA (Consent Services Ad	a wrought-iron, 8-feet high fence between International	
		lministration) property. The complete project length,	
including one 30	0-feet wide motorized gate, measu	ared approximately 1,1/0.00.	
Plans and specif	fications were prepared by in-hous	se forces.	
		\$77,805.00	
	y City Council on September 15		
Change order i	10. 1	\$(<u>1,415.00)</u>	
(Approved b	(Approved by the City Manager on December 16, 2003)		
To provide f	for future modification to access	s control for gate and for flood	
events per G	SSA and to allow existing chain	link fence adjacent to GSA	
canine kenn	el to remain, instead of replacer	ment with wrought iron fencing.	
	Final construction contract amount		
The project was completed within the contract time allotted.			
FINANCIAL IMPACT:			
Funding is availa	able in the Bridge System Retains	age Payable.	
Account No. 553-0000-206-0110			
COMMITTEE RECOMMENDATION: STAFF RECOMMENDATION:			
N/A.	- DOMAINE NOTE RANGE	Approval of Motion.	
TAN T.	· · · · · · · · · · · · · · · · · · ·	Libbio and or monori.	



OF 8 FEET HIGH WROUGHT-IRON FENCE BETWEEN LAREDO INTERNATIONAL BRIDGE 1 AND 2 AT THE FORMER GSA IMPORT LOT AND APPROVAL OF FINAL PAYMENT

CITY COUNCIL MEETING MARCH 29, 2004

ENGINEERING DEPARTMENT

. .

DATE: 03/29/2004	SUBJECT: MOTION(S) Consideration to award a construction contract to the sole bidder Rhino Builders, Ltd., Laredo, Texas, for the Seven Flags Park Rehabilitation Project in the bid amount of \$411,792.25. Funding is available in the Capital Improvement Fund - Seven Flags Park Rehabilitation.	
INITIATED B	Y: STAFF SOURCE:	
Larry Dovalina,	Rogelio Rivera, P.E.,	
City Manager	City Engineer	

PREVIOUS COUNCIL ACTION:

On June 16, 2003 City Council awarded a professional services contract to Rosin-Johnson, Inc., San Antonio, Texas, for an amount not to exceed \$32,600.00 for design and preparation of plans and specifications for the Seven Flags Park Rehabilitation Project located by Zacate Creek on the West and J.C. Martin Elementary School on the East, Guerrero Street on the North and the Tex-Mex Railroad on the South.

BACKGROUND:

The Scope of Work for the Seven Flags Park located at the corner of McDonnell and Guerrero Street adjacent to the J.C. Martin Elementary School and on the banks of the Zacate Creek includes selective demolition and new construction and installation of concrete flatwork, flag poles, pre-engineered modular for skate and playground equipment, landscaping and irrigation systems. Other park improvements include installation of picnic tables, shelters, park benches, bar-b-que grilles and miscellaneous park related items.

Plans and specifications were prepared by Rosin-Johnson, Inc., Laredo, Texas.

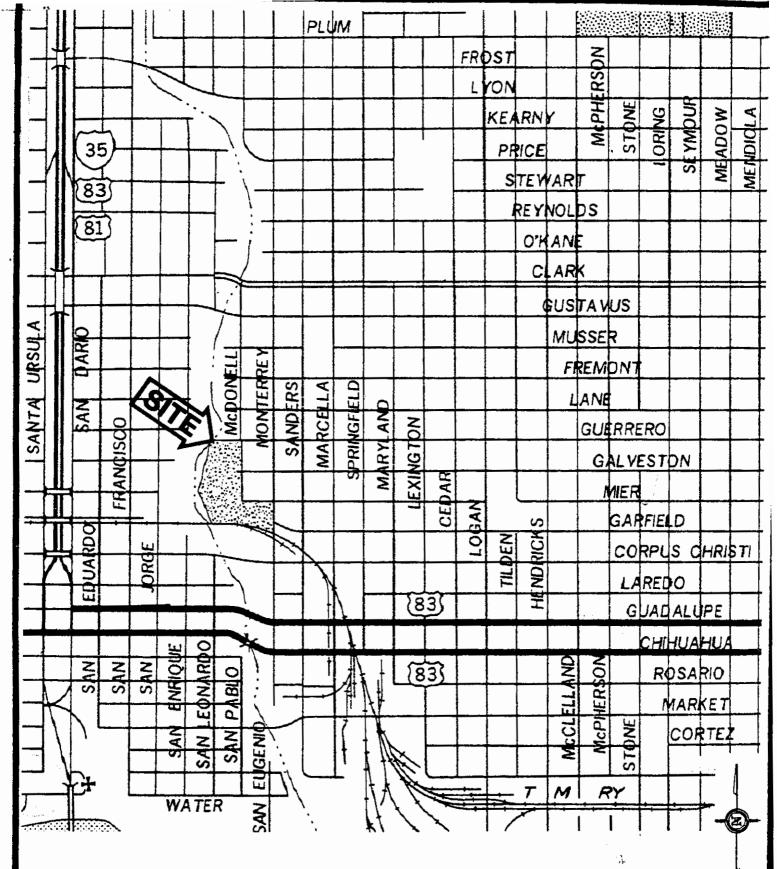
One (1) bid was received and opened at the City Secretary's Office on Wednesday, February 25, 2004, at 2:30 P.M. as follows:

Contractor (Bidder)	Base Bid	Alternate No. 1 (roof replacement for existing Gazevo Building and 3 additional skate park equipment)	Total
Rhino Builders, Ltd. Laredo, Texas	\$371,788.25	\$40,004.00	\$411,792.25

The bid and bid bonds were checked and found to be in order. Staff therefore concurs with consultant and recommends award in bid amount of \$411,792.25 to Rhino Builders, Inc., Laredo, Texas.

Contract time is one hundred sixty (160) calendar days after notice to proceed is issued.

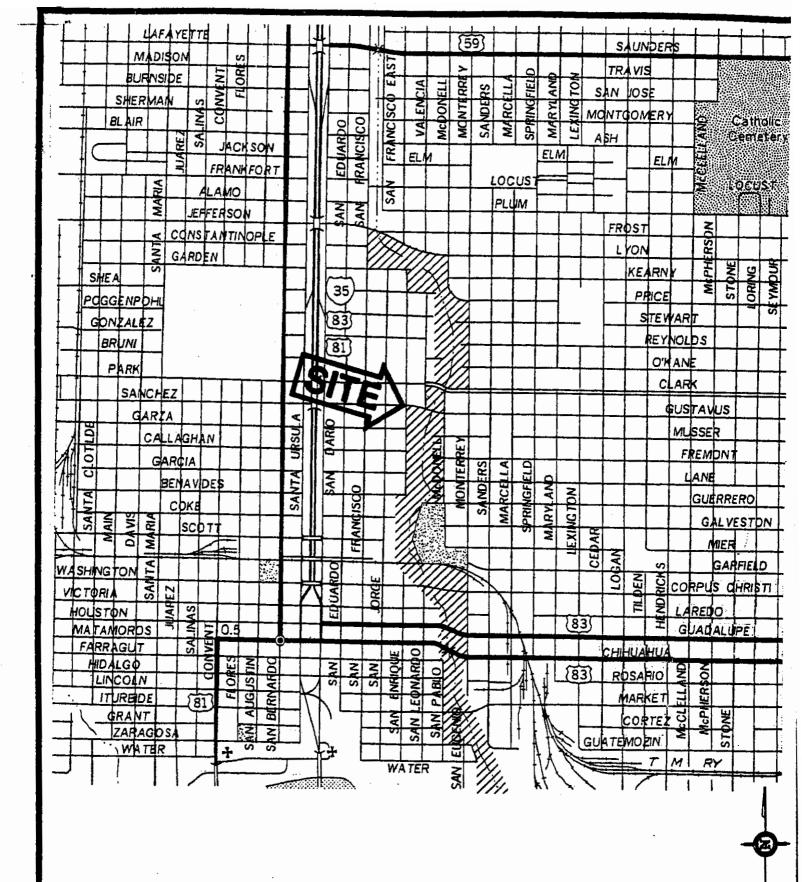
FINANCIAL IMPACT:		
Funding is available in the Capital Improvement Fund - Seven Flags Park Rehabilitation.		
Account No. 402-4322-535-4180		
COMMITTEE RECOMMENDATION: STAFF RECOMMENDATION:		
N/A.	Approval of Motion.	



CONSIDERATION TO AWARD A CONSTRUCTION CONTACT TO THE SOLE BIDDER FOR THE SEVEN FLAGS PARK REHABILITATION PROJECT

CITY COUNCIL MEETING MARCH 29, 2004 CITY OF LAREDO ENGINEERING DEPARTMENT

DATE:	ATE: SUBJECT: MOTION(S)		
	Consideration for approval to re-bid the Zacate Creek Linear Park Phase III, IV & V -		
03/29/2004		s failure to submit a bid bond, therefore bid is not	
		e in the Capital Improvement Fund - Zacate Creek	
	Linear Park.		
INITIATED BY	INITIATED BY: STAFF SOURCE:		
Larry Dovalina,		Rogelio Rivera, P.E.,	
City Manager		City Engineer	
PREVIOUS CO	OUNCIL ACTION:		
None.			
BACKGROUN	D:		
		roximately eleven park activity areas that are located	
		e intersection of San Francisco/Lyon Street.	
		nstallation of concrete flatwork, walking trails,	
		at, multipurpose sport field improvements and sport	
		ther park improvements include installation of picnic	
_	_ _ _	and miscellaneous park related items. These	
improvements at	so include installation of "Zero I	Depin water Parks.	
Plans and specifi	Plans and specifications were prepared by Rosin-Johnson, Inc., Laredo, Texas.		
•			
FINANCIAL IN	FINANCIAL IMPACT:		
Funding is availa	ble in the Capital Improvement I	Fund - Zacate Creek Linear Park.	
Account No. 402	Account No. 402-4322-535-4190		
COMMITTEE	COMMITTEE RECOMMENDATION: STAFF RECOMMENDATION:		
(STAFF RECOMMENDATION: Approval of motion.	
Tappe of movem		ripprovisi of monon.	



CONSIDERATION FOR APPROVAL TO RE-BID THE ZACATE CREEK LINEAR PARK PHASE III, IV, & V- SCOPE II

CITY COUNCIL METING MARCH 29, 2004 CITY OF LAREDO ENGINEERING DEPARTMENT

.

DATE:	SUBJECT: MOTION(S)		
03/29/2004	Pete Gallegos Paving, Inc., Lar "Notice of Abandonment of W C-9.08 of the construction cont	redo, Texas, for the Easty ork and Default of Contr tract documents and the I y termination of the const	act", and pursuant to paragraph Engineer's Certificate stating that truction contract and take actions
INITIATED B	Y:	STAFF SOURCE:	
Larry Dovalina		Rogelio Rivera, P.E.,	Horacio De Leon,
City Manager		City Engineer	Parks and Recreation Director
	OUNCIL ACTION:		
contract with Pontract with Pontract of Abandonment of documents and	2004 City Council authorized the ete Gallegos Paving, Inc., Laredo, or Default of Contract" pursuant to the Engineer's Certificate stating attract and take actions as are permeters.	Texas, for the Eastwood oparagraph C-9.08 of the that sufficient cause exist	Is Park Project due to "Notice of e construction contract ts to justify termination of the
•	oject was to include site grading, an module, irrigation system and land 16 acres.		,
Plans and speci	fications were prepared by Turner	r, Hickey & Associates, I	Laredo, Texas.
the \$164,369.50	allegos Paving, Inc., has been pai total construction contract amou 786.95 remaining on his contract.	int which includes a char	
and turf coverag	items of construction have been ge or the playing fields have becomed by the contractor.		
	Continu	ue on Page 2 of 2	
FINANCIAL I N/A.	MPACT:		
COMMITTER	RECOMMENDATION:	STAFF RECOMMEN	NDATION:

Approval of Motion.

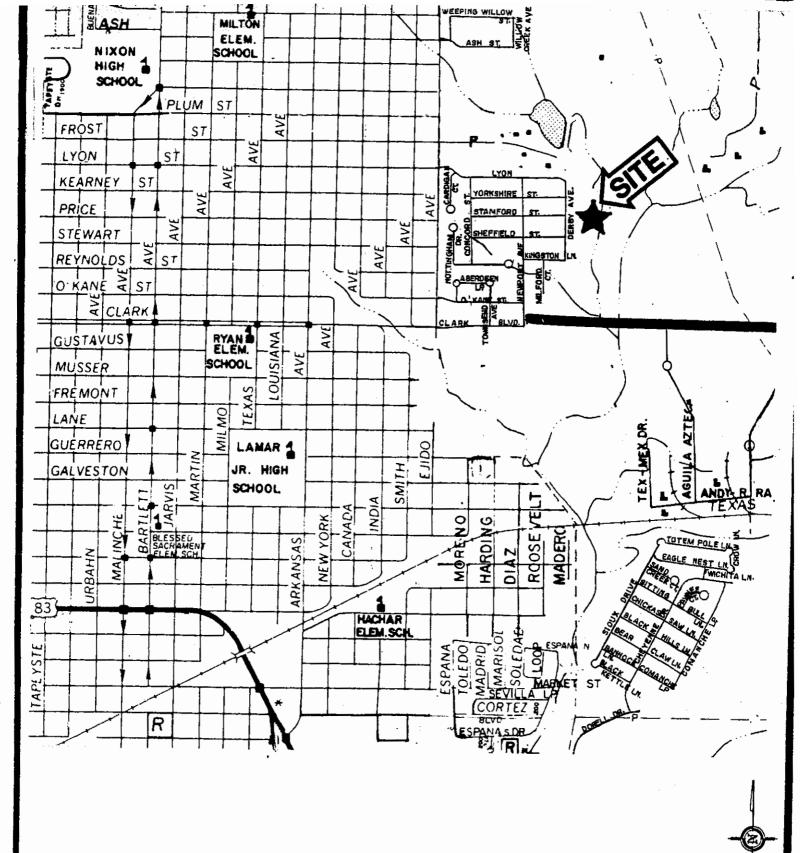
N/A.

On January 21, 2004 a written notice was sent to Pete Gallegos Paving, Inc., and to Suretec Insurance Company, advising them that they are in Default of Contract due to discontinuance of the work without the City's authorization and failure to perform new work to replace such work as has been rejected.

A following letter dated February 6, 2004, was sent to Pete Gallegos Paving, Inc., certifying that just cause exists to terminate the contract due to non-compliance, and that in at least seven (7) days following said letter, a recommendation would follow to the City Council to terminate the contract with Pete Gallegos Paving, Inc.

As of date, there is no visible activity at the work site, and no schedule submitted for removal of the unaccepted work. Since there has been no response to remove the unacceptable work, the failure to satisfactorily correct rejected work is a substantial violation of the contract documents and therefore per Section C-9.08 of the contract documents, Staff recommends that the construction contract with Pete Gallegos Paving, Inc., be terminated for the Eastwoods Park Project due to "Notice of Abandonment of Work and Default of Contract", and pursuant to paragraph C-9.08 of the construction contract documents and the Engineer's Certificate stating that sufficient cause exists to justify termination of the construction contract and take actions as are permitted under the terms of the construction contract.





APPROVAL OF CITY STAFF'S RECOMMENDATION FOR TERMINATION OF CONSTRUCTION CONTRACT FOR THE EASTWOODS PARK PROJECT

CITY COUNCIL MEETING MARCH 29, 2004 CITY OF LAREDO ENGINEERING DEPARTMENT

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SUBJECT: MOTION(S) DATE: Approval of City Staff's recommendation for termination of construction contract with 03/29/2004 Pete Gallegos Paving, Inc., Laredo, Texas, for the Santa Rita Park Improvements Project due to "Notice of Abandonment of Work and Default of Contract", and pursuant to paragraph C-9.08 of the construction contract documents and the Engineer's Certificate stating that sufficient cause exists to justify termination of the construction contract and take actions as are permitted under the terms of the construction contract. STAFF SOURCE: **INITIATED BY:** Rogelio Rivera, P.E., Horacio De Leon. Larry Dovalina, City Manager City Engineer Parks and Recreation Director PREVIOUS COUNCIL ACTION: On January 12, 2004 City Council authorized the City Manager to initiate termination of construction contract with Pete Gallegos Paving, Inc., Laredo, Texas, for the Santa Rita Park Improvements Project pursuant to paragraph C-9.08 of the construction contract documents and the Engineer's Certificate stating

BACKGROUND:

permitted under the terms of the construction contract.

The original project consisted of construction three (3) soccer fields including grading, irrigation, and seeding, a concession and restroom facility, off-street parking, water, wastewater, stormwater and site improvements. Project also included pollution prevention and traffic management measures.

that sufficient cause exists to justify termination of the construction contract, and take actions as are

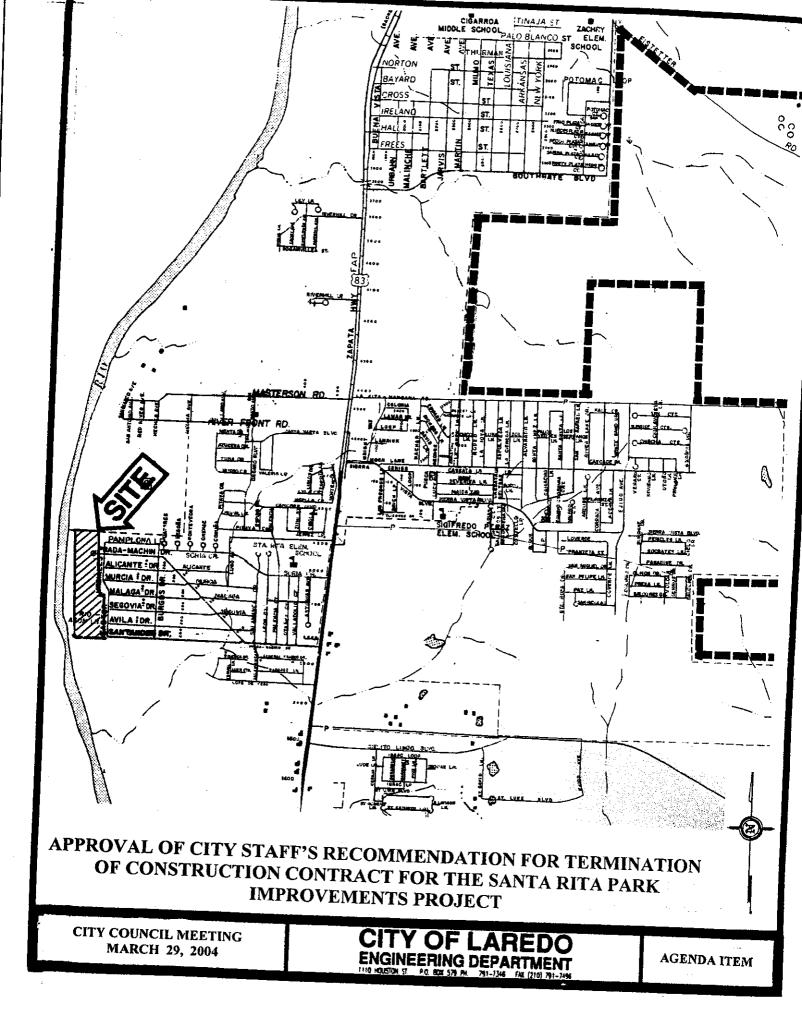
Plans and specifications were prepared by Crane Engineering Corporation, Laredo, Texas.

To date, Pete Gallegos Paving, Inc., has been paid a total of \$11,637.50 (or approximately 3%) out of the \$435,252.50 total construction contract amount, with a balance of \$423,615.00 remaining on the contract. The Notice to Proceed was issued on June 24, 2002, and the contract time was 135 calendar days. On February 10, 2003, the contractor was notified that he has discontinued work without authority and was 42 days over the contract time, and the project was at a standstill, and was further notified to satisfactorily correct such delay or neglect immediately, otherwise the work may be declared abandoned per Section C-8.10 of the contract documents.

On May 24, 2003, a concrete slab for the concession stand was poured, however, the work was unacceptable because the workmanship was not per plans and specifications. A submittal by the contractor to provide a cure was not accepted since the submittal did not structurally enhanced the concrete slab. The contractor was requested to remove and reconstruct the concrete slab and foundation including all rough-in and site preparation to plans and specifications.

including all rough-in and site preparation to plans and specifications.		
inue on Page 2 of 2		
STAFF RECOMMENDATION: Approval of Motion.		
)		

On January 21, 2004 a written notice was sent to Pete Gallegos Paving, Inc., and to Suretec Insurance Company, advising them that they are in Default of Contract due to discontinuance of the work without the City's authorization and failure to perform new work to replace such work as has been rejected. A following letter dated February 6, 2004, was sent to Pete Gallegos Paving, Inc., certifying that just cause exists to terminate the contract due to non-compliance, and that in at least seven (7) days following said letter, a recommendation would follow to the City Council to terminate the contract with Pete Gallegos Paving, Inc. As of date, there is no visible activity at the work site, and no schedule submitted for removal of the unaccepted work. Since there has been no response to remove the unacceptable work, the failure to satisfactorily correct rejected work is a substantial violation of the contract documents and therefore per Section C-9.08 of the contract documents, Staff recommends that the construction contract with Pete Gallegos Paving, Inc., be terminated for the Santa Rita Park Improvements Project due to "Notice of Abandonment of Work and Default of Contract", and pursuant to paragraph C-9.08 of the construction contract documents and the Engineer's Certificate stating that sufficient cause exists to justify termination of the construction contract and take actions as are permitted under the terms of the construction contract. Page 2 of 2



DATE:	SUBJECT: MOTION(S)	
Consideration to award a design/build contract to TNT Construction Company, Waco, Texas, in the amount not to exceed \$399,300.00 for the Farias Street and		
	Projects/Farias Splash Playground/Lafayette Splash Playground.	
INITIATED B	Y: STAFF SOURCE:	
Larry Dovalina,	Rogelio Rivera, P.E.,	
City Manager	City Engineer	

PREVIOUS COUNCIL ACTION:

On November 3, 2003 City Council approved the selection of consultant TNT Construction Co., Inc., Waco, Texas, for the Construction of Two Water Spray Parks (Design/Build Project) and authorization to negotiate a professional services contract. One spray park will be constructed on Farias and Ortiz Streets west of Santa Maria Avenue and directly behind the Farias Recreation Center, and the other will be located on Lafayette Street between Santa Rita and Santa Cleotilde Avenue.

BACKGROUND:

The Scope of services for design build Spray Park improvements on identified site include but are not limited to:

- 1.) A conceptual or illustrative layout of the park and a plan view of the park,
- 2.) Illustration or photographs of the proposed spray components, certification, safety, performance, material, specifications of all in ground and above ground spray components, bollard activators, and controllers, a list of similar design and supply projects with a minimum of 3 references from previous clients,
- 3.) Meet ADA compliance, handicap accessible
- 4.) All water components should have a minimum of a 10-year warranty.

The Spray parks shall be a minimum of approximately 100 x 50 (5000) square feet in area, include a minimum of 10 above ground components that include but not limited to a centerpiece with multi-sprayer that includes a minimum of 7 spray functions, arches or tunnels, a water dome, and a minimum of 2 individual below ground features such as ground sprays, one bollard activator, and include an automatic controller for master valve and as needed zones or valves and all equipment for recirculation of water including needed filters, start-up chemicals.

The Farias Water Splash Park Project is to be located on Farias and Ortiz Streets west of Santa Maria Avenue and directly behind Farias Recreation Center.

The Lafayette Water Splash Park Project is to be located on Lafayette Street between Santa Rita and Santa Cleotilde Avenue.

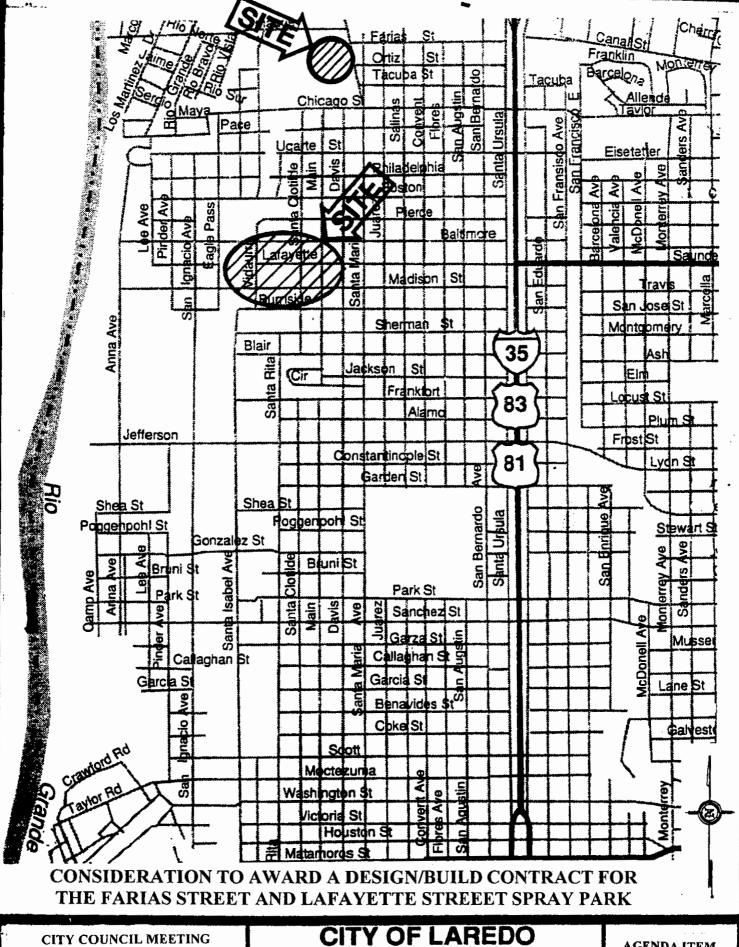
Contract time is to be on a fast tract basis approximately one hundred forty (140) calendar days.

FINANCIAL IMPACT:

Funding is available in the:

Community Development/Farias Splash Playground - Account No. 211-8580-535-1359 Community Development/Lafayette Splash Playground - Account No. 211-8580-535-1360

COMMITTEE RECOMMENDATION:.	STAFF RECOMMENDATION:
N/A.	Approval of Motion.



MARCH 29, 2004

ENGINEERING DEPARTMENT

DATE:	SUBJECT: MOTION(S)	
	Consideration to award an engineering contract to Olympia Landscape Irrigation &	
03/29/2004	Lawn Service, Laredo, Texas, for an amount not to exceed \$62,800.00 for surveys,	
	design, and preparation of plans and specifications and installation of all equipment	
	necessary thereof for the Zacate Creek Irrigation Project to be located between Saunders	
li .	and Lyon Street West of Zacate Creek. Funding is available in the Capital	
	Improvements Projects - Zacate Creek Irrigation.	
INITIATED BY	Y: STAFF SOURCE:	
Larry Dovalina,	Rogelio Rivera, P.E.,	
City Manager	City Engineer	
DDEVIOUS CC	NINCH ACTION.	

PREVIOUS COUNCIL ACTION:

On March 1, 2004 City Council approved the selection of consultant Olympia Landscape Irrigation & Lawn Service, Laredo, Texas for the Zacate Creek Irrigation Project located from Saunders to Lyon Street and authorization to negotiate a professional services contract.

BACKGROUND:

The project is located along the Zacate Creek West Bank between Saunders and Lyon Street. The contract time is 30 days after Notice to Proceed.

Scope of services include, but are not limited to:

- A. Installation of new utility pole with meter and breaker boxed by (PCI electrical Services)
- B. Installation of new water meter with tap from street 2".
- C. Grade work 30ft x 2,536ft. from sidewalk to 30 feet down creek for installation of new sod areas.
- D. Irrigation and landscape design with shop drawings.
- E. Hydroseed of common Bermuda (Approximately 76,080 sq. Ft.).
- F. Erosion control blanket for new sod areas.
- G. (6) 3"-4" caliper Fan-Tex ash trees with bubbler 1800 rain bird.
- H. Silt fence for construction site.
- I. 12-station esp. Timer with protective cage and lock.
- J. 2" RPZ backflow device with protective cage and lock.
- K. 10-station irrigation system.
- L. 1 ½ irrigation rain bird valves with flow control.
- M. Swing joint assembly 3/4 x 1/2 x 12".
- O. Hunter PGP Rotors
- P. Rain bird 1804 4" pop-ups with nozzle.
- Q. 14-GA UF irrigation wire.
- R. 2" Mainline Sch. 40 PVC with bell end.
- S. ½, ¾, 1" lateral lines Sch. 40 PVC with bell end.
- T. DS-1100I valve box 10" W/Lid.
- U. Contract time for scope of services 30 days after agreement date.
- V. All trenching for main line 18" deep.
- W. All trenching for lateral lines 12" deep.
- X. All irrigation wire shall be taped to mainline every 3 feet.
- Y. Irrigation permit shall be in place prior to work commencement. (By Contractor).
- Z. Provide as built drawings after completion showing mainline, valves controller and backflow preventor locations, and coordinate test of irrigation prior to project completion with Parks and Recreation Staff.

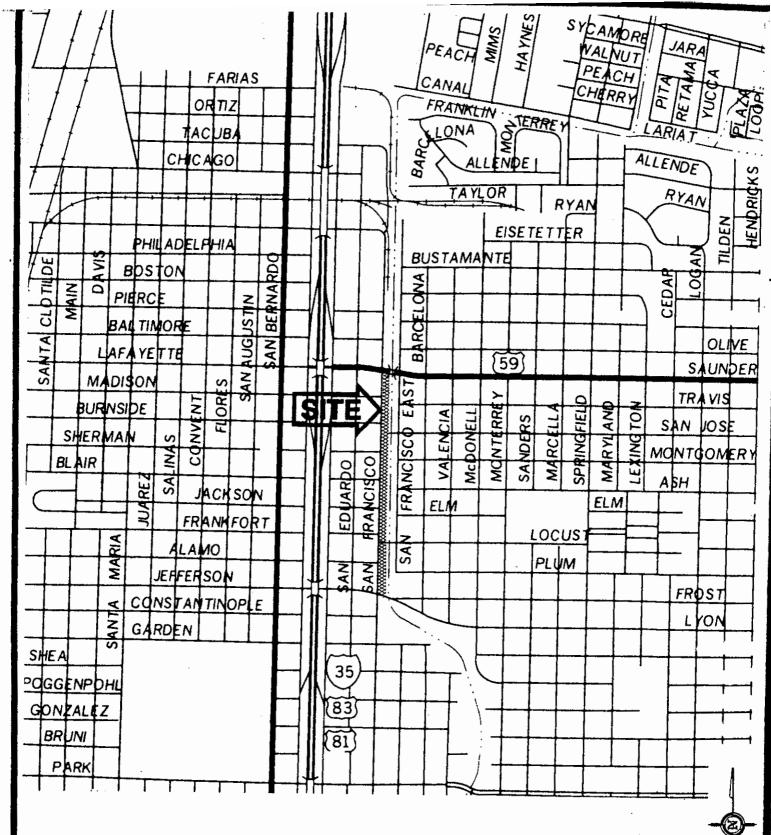
Items C (Grading) and F (Erosion Blankets) not included.

FINANCIAL IMPACT:

Funding is available in the Capital Improvements Projects - Zacate Creek Irrigation.

Account No. 402-4325-535-4713

i	COMMITTEE RECOMMENDATION:	STAFF RECOMMENDATION:
	N/A.	Approval of Motion.



CONSIDERATION TO AWARD AN ENGINEERING CONTRACT FOR SURVEYS, DESIGN, AND PREPARATION OF PLANS AND SPECIFICATIONS AND INSTALLATION OF ALL EQUIPMENT NECESSARY THEREOF FOR THE ZACATE CREEK IRRIGATION PROJECT

CITY COUNCIL MEETING MARCH 29, 2004 CITY OF LAREDO ENGINEERING DEPARTMENT

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DATE:	TE: SUBJECT: MOTION(S)		
•	Consideration to award an engineering contract to Quality Water Products Irrigation		
03/29/2004 Division, San Antonio, Texas, for an amount not to exceed \$101,140.00 for			
		and specifications and installation of all equipment	
	necessary thereof for the Father McNaboe Irrigation Project to be located at the developed soccer, baseball, picnic and open play areas at the lower level of the park Funding is available in the Capital Improvements Projects - Father McNaboe Park		
	Improvements.		
INITIATED BY:		STAFF SOURCE:	
Larry Dovalina,	,	Rogelio Rivera, P.E.,	
City Manager		City Engineer	
DDEVIOUS COUNCIL ACTION.			

PREVIOUS COUNCIL ACTION:

On March 1, 2004 City Council approved the selection of consultant Quality Water Products Irrigation Division, San Antonio, Texas, for the Father McNaboe Irrigation Project to be located at the developed soccer, baseball and open play area at the lower level of the park and authorization to negotiate a professional services contract.

BACKGROUND:

The project is located at Father McNaboe Park at the developed open play areas at the lower level of the park.

Scope of services include, but are not limited to:

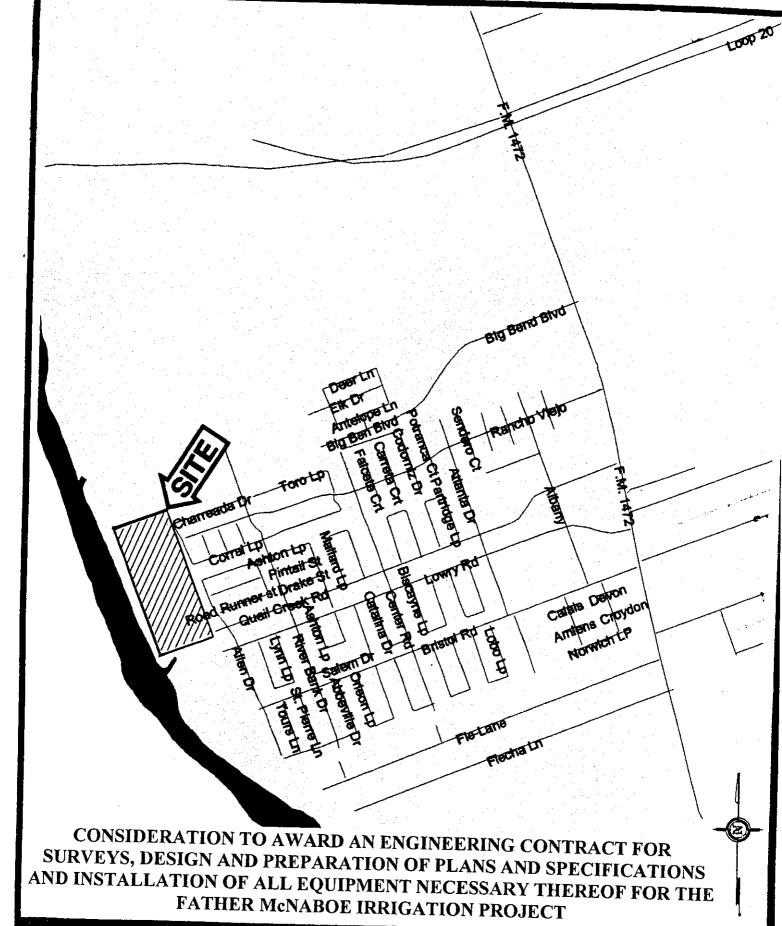
- 1. A conceptual and / or illustrative design layout of the location and a plan view of the site, and/or shop drawings of fully automated irrigation system with Texas licensed irrigation seal.
- 2. Performance of work shall be by a Texas Licensed Irrigator with proof of license.
- 3. Illustration or photographs of the proposed irrigation components, certification, safety, performance material specifications of all in ground and above ground irrigation components, and controllers, with all materials used being new and free of flaws or defects.
- 4. Provide Tree bubblers, fully automated sprinkler system time clocks, proper electrical wiring, and piping.
- 5. Coordinate, plan and schedule with necessary utility providers, obtain any permits, inspections required by local authorities at contractor expense.
- 6. Provide as built drawings after completion showing mainline, valves controller and backflow preventor locations, and coordinate test of irrigation prior to project completion with Parks and Recreation Staff.
- 7. All trenching shall be the responsibility of the contractor, with patch up work as needed directly related to the irrigation installation process.
- 8. Provide 110v power to controller location.

FINANCIAL IMPACT:

- 9. Water meter, including tap, meter, fees, etc. and responsible for obtaining appropriate water pressure readings.
- 10. Responsible for providing temporary utilities services for construction of the project.
- 11. Replace existing tree bubblers (approximately 256)

The contract is to be on a fast track basis approximately 60 days after notice to proceed.

Funding is available in the Capital Improvements Projects - Father McNaboe Park Improvements. Account No. 402-4322-535-4187									
COMMITTEE RECOMMENDATION:	STAFF RECOMMENDATION:								
N/A	Approval of Motion.								



CITY COUNCIL MEETING MARCH 29, 2004

CITY OF LAREDO ENGINEERING DEPARTMENT 1110 HOLGSTON ST 20. BOX 574 AN. 751-7346 FAX (210) 741-746

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DATE:

SUBJECT: MOTIONS

O3/29/04 Consideration to award contract FY04-063, to the low bidder, BWI-Schulenburg, Schulenburg, Texas, in the estimated amount of \$23,886.70 for providing Bermuda seeds, fertilizer, and paper blocks for mulching for the Parks and Recreation Department. The term of this contact will be for a period of six months. All items will be purchased on an as need basis. Funding is available in the Parks and Recreation

INITIATED BY:

STAFF SOURCE:

Department budget and construction projects – El Quarto Park and the City Inner Park.

Larry Dovalina, City Manager Horacio De Leon, Parks and Recreation Dept. Director Francisco Meza, Purchasing Agent

PREVIOUS COUNCIL ACTION: None.

BACKGROUND: The City received five bids for the purchase of Bermuda seeds, fertilizer and paper blocks. The contract vendor will be required to provide these items on an as need basis. A complete bid tabulation is attached.

Contract Vendor	Contract Total
BWI - Schulenburg	\$23,886.70
Douglass King Co., Inc.	\$26,350.00
Arellano Seed Service	\$31,120.00
Hollywood Garden Inc.	\$39,600.60
Pogue Agri Partners Inc.	\$23,500.00
	Incomplete bid

FINANCIAL IMPACT: Funding is available in the following budgets:

Parks and Recreation Department - Parks Maintenance, Botanical

Account Number: 101-3115-552-1900

CD Projects – El Quarto Park

Account Number: 211-8580-535-1358 Construction Projects – City Inner Park Account Number: 447-9857-535-4873

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATION: It is recommended

that this contract be approved.

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DATE: 03/29/04

SUBJECT: MOTIONS

Consideration to award contract FY04-062 to Leslie Poolmart Inc., Phoenix, AZ., in the estimated amount of 35,626.42 for providing pool chemicals for the Parks and Recreation Department. The City received four bids for the purchase of pool chemicals for the maintenance of the City's swimming pools Because of lack of storage space and safety concerns storing a high volume of chlorine, the Department is now requesting that the chemicals be delivered monthly to each swimming pool. The contract pricing is the same as the previous year. Funding is available in the Parks and Recreation Department budget.

INITIATED BY:

Larry Dovalina, City Manager

STAFF SOURCE:

Horacio De Leon, Parks and Recreation Dept. Director Francisco Meza, Purchasing Agent

PREVIOUS COUNCIL ACTION: Authorized the rejection of all bids received for contract FY04-029 and authorized that new bids be solicited at the City Council meeting of 2/17/04.

BACKGROUND: The City received four bids for the purchase of pool chemicals for the maintenance of the City's swimming pools. Because of lack of storage space and safety concerns, the requested chemicals will be delivered on a monthly basis to each pool location.

Bid Summary	Contract Pricing
Leslie Poolmart Inc.	\$35,626.42
Acetylene Oxygen Company	\$36,288.68 did not bid on 20lb. drums
Border Pools	\$39,425.00
Aquatic Commercial	\$41,107.85

FINANCIAL IMPACT: Funding is available in the Parks and Recreation Department budget.

Parks and Recreation Department - Parks Maintenance, Chemicals

Account Number: 101-3120-552-2010

COMMITTEE RECOMMENDATION:	STAFF RECOMMENDATION: It is recommended	l
	that this contract be awarded.	l
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SUBJECT: MOTIONS DATE: 03/29/04 Consideration to award contract FY04-060-124, to UTW Tire Collection Services, Laredo, Texas, in the estimated amount of \$43,500.00, for the removal and disposal of tires at the City landfill. The term of this contract will be for a one year period with an option to extend this contract for three, one year terms. Staff estimates that approximately 500 tons of tires will be removed; however this contract is based on actual tons of tires removed and disposed from the landfill. The contract pricing is approximately 18% less than the previous contract amount. Funding is available in the Solid Waste budget. INITIATED BY: STAFF SOURCE: Oscar Medina, Solid Waste Dept. Director Larry Dovalina, Francisco Meza, Purchasing Agent City Manager PREVIOUS COUNCIL ACTION: Award a contract to UTW Tire Collection Services, Laredo, Texas on 03/03/03. . Staff estimates that approximately 500 tons of tires will be removed; however this **BACKGROUND:** contract is based on actual tons of tires removed and disposed from the landfill. The term of this contract is for one year with an option for three additional one year renewals. The contract vendor is required to maintain TCEO registration numbers for the transportation, storage, and recycling/disposal of these used tires. Est. Qty. | Unit Price / Ton Total **Bid Summary** \$43,500.00 500 Tons \$ 87.00 UTW Tire Co. Recovery Technologies Group of Texas Inc. 500 Tons \$135.00 \$67,500.00 FINANCIAL IMPACT: Funding is available in the following line item budget: Solid Waste Fund - Contractual Services Account: 556-2560-533-5000 STAFF RECOMMENDATION: It is recommended **COMMITTEE RECOMMENDATION:** that this contract be awarded.

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DATE:

SUBJECT: MOTIONS

03/29/04

Consideration to award contract number FY04-058 to the <u>LOW BIDDER</u>, Mr. Camera, Laredo, Texas, in the estimated amount of \$26,800.20, for the purchase of photographic film and film processing. A base price has been established for a twelvementh period for the purchase of 35mm and Polaroid film and photo development services for all City departments. All services and film will be secured on as need basis. Funding is available in the Police Department, Community Development, Parks and Recreation, Environmental Engineering and Building Services department's budgets.

INITIATED BY:

Larry Dovalina, City Manager

STAFF SOURCE:

Francisco Meza, Purchasing Agent

PREVIOUS COUNCIL ACTION: None.

BACKGROUND: The City received five bids for awarding an annual contract for the purchase of 35 mm and Polaroid film and film development. A base price has been established for a twelve-month period for the purchase of 35mm and Polaroid film. All film and film processing services will be on an as need basis. The majority of the film will be purchased by the Police Department.

Bid Summary

Bid Summary	Mr. Camera	Denco Photo	Adroma Inc.
Section I – Film	\$13,784.40	\$14,176.44	\$11,319.75
Section II – Film Processing	\$13,015.80	\$12,926.52	No bid.
	\$26,800.20	\$27,102.96	Inc. bid.
<u></u>	Ψ20,000.20	Ψ27,102.70	me. ora.

FINANCIAL IMPACT: Funding is available in the following line item budgets:

Police Department	101-2310-522-2100	CD – Administration	211-8610-512-2100
Parks Maintenance	101-3115-552-2100	CD – Housing	211-8620-542-2100
Parks Recreation	101-3120-552-2100	CD – Code Enforcement	211-8630-542-2100
Parks Rec Centers	101-3125-552-2100	CD - Code (non - CDBG)	211-8635-542-2100
Building Department	101-1510-512-2100	NPDES	249-3840-542-2100

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STAFF RECOMMENDATION: It is recommended that this contract be approved.

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STAFF REPORTS

A. Status report on Veteran's Monument.

GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

A. Request by Council Member Johnny Amaya

- 1. Status report on pending repairs of empty elevated storage tank at Lyon and Meadow.
- 2. Discussion with possible action regarding traffic and street repairs on Lyon Street between Springfield and Meadow.
- 3. Discussion with possible action regarding lighting on Lyon Street between Springfield and Meadow, with possible action.
- 4. Authorizing the use of approximately \$5,000.00 in discretionary funds from District IV for the construction of sidewalks on the south side of the 700 block of Stewart. Construction will be completed in-house by the Engineering/Public Works Department and proceeding with the 1300 Block of Stewart funded by the Transit Sales Tax Fund.

B. Request by Council Member Gene Belmares

- 1. Discussion with possible action regarding parking issues in District VI.
- 2. Discussion with possible action regarding park space in District VI.
- 3. Request for comprehensive report regarding COPS program, including initial intent, accomplishments to date, and future plans.
- 4. Discussion with possible action regarding the 2004 street recycling program.

C. Request by Council Member Juan Ramirez

- 1. Discussion with possible action regarding the hiring of police officers due to recent retirement numbers at Police Department.
- 2. Discussion with possible action regarding distribution of information and hosting of town hall meeting to educate business owners in crime prevention.
- 3. Discussion with possible action regarding increasing illumination of street lights from the 1200 to 2700 blocks of San Bernardo Avenue.
- 4. Status report on El Cuatro and Seven Flags Parks.

COUNCIL COMMUNICATION

DATE: 03-29-2004	SUBJECT: EXECUTIVE SESSION Request for executive session pursuant to Texas Government Code Section 551.072 in order to deliberate on the value of, and the possible purchase of, real property near Laredo International Airport, because deliberation in an open meeting would have a detrimental effect on the position of the City Council in negotiations with third persons; and return to open session for possible action.				
INITIATED BY: Larry Dovalina City Manager		STAFF SOURCE: Jaime L. Flores, City Attorney			
PREVIOUS COUNCIL ACTION:					
BACKGROUN	ID:				
FINANCIAL:					
RECOMMENI N/A	DATION:	STAFF RECOMMENDATION: N/A			

CITY OF LAREDO
CITY COUNCIL MEETING
A-2004-S-02
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
MARCH 29, 2004
5:30 P.M.

SUPPLEMENTAL AGENDA

I. PUBLIC HEARING

1. **Public hearing and introductory ordinance** amending the City of Laredo's FY 2003-2004 Annual Budget by authorizing the addition of one (1) Administrative Assistant I position for the South Texas 9-1-1 Regional Administration. Funding is available in the 9-1-1 Regional Fund, Administration Division.

II. RESOLUTION

2. 2004-R-034 Expressing the support of the City Council of the City of Laredo for the Mike Waters proposal to continue the existing allocation formula establishing the methodology for the next two years (2005-2006) and correspondingly expressing its opposition to the adoption of a revised formula as may be proposed by the Office of Rural Community Affairs Executive Board and directing the City Secretary to forward a copy of this resolution to the Executive Board of the Office of Rural Community Affairs and to South Texas Development Council. (Co-sponsored by Council Member Jose A. Valdez, Jr. and Council Member Johnny Amaya)

III. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

3.

A. Request by Council Member Jose A. Valdez, Jr.

 Status report by United Water regarding water and sewer breaks that occurred recently, with possible action. (Co-Sponsored by Council Member Johnny Amaya) 2. Discussion with possible action to request that the City Manager ask staff to prepare an amendment to the Land Development Code, Section 24-77, to alter the minimum lot area for site built homes, specifically Section 24-77.1, Dimensional Standards to permit the minimum lot area of 4,200 sq. ft. for single family residential lots in R-1MH zones comparable to the requirements currently allowed for R-1MH manufactured homes. This amendment would allow families owning the lots to construct a single family residential unit, thus increasing the values on the tax roll. (Co-sponsored by Council Member Eliseo Valdez, Jr.)

IV. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

4. Request for Executive Session pursuant to Texas Government Code 551.071 (1)(A) & (B) to consult with City Attorney on a matter of threatened litigation; and return to open session for possible action.

V. ADJOURNMENT

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, March 26, 2004 at 5:00 p.m.

Gustavo Guevara, Jr.

City Secretary

COUNCIL COMMUNICATION

DATE:	SUBJECT: Public Hear	ring / Introductory Ordinance		
03/29/04	authorizing the addition for the South Texas 9-	aredo's FY 2003-2004 Annual Budget by n of one (1) Administrative Assistant I position 1-1 Regional Administration. Funding is Regional Fund, Administration Division.		
INITIATED BY:	<u> </u>	STAFF SOURCE:		
Larry Dovalina City Manager		Jessica L. Hein Assistant to the City Manager		
PREVIOUS COUNCIL	ACTION:			
Final Reading of Ordinance 2004-O-054 is being considered on March 29, 2004 to appropriate funds for 9-1-1 Administration.				
BACKGROUND:				
The City of Laredo took over administration of 9-1-1 for the south Texas region on March 1, 2004. Funding for personnel is authorized by the Commission on State Emergency Communications in the FY 04 budget.				
FINANCIAL:				
Funding is available in 258-1260-521-1110.				
COMMITTEE RECOMM	MENDATION:	STAFF RECOMMENDATION:		
Not applicable.				

ORDINANCE

AMENDING THE CITY OF LAREDO'S FY 2003-2004 ANNUAL BUDGET BY AUTHORIZING THE ADDITION OF ONE (1) ADMINISTRATIVE ASSISTANT I POSITION FOR THE SOUTH TEXAS 9-1-1 REGIONAL ADMINISTRATION. FUNDING IS AVAILABLE IN THE 9-1-1 REGIONAL FUND, ADMINISTRATION DIVISION.

Whereas, the City of Laredo previously adopted the budget for fiscal year 2003-2004; and

Whereas, the Commission on State Emergency Communications approved the budget for the south Texas region for FY 04 & 05; and

Whereas, personnel expenses for Administration of the 9-1-1 program for the region will be reimbursed by the Commission on State Emergency Communications on a quarterly basis.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: the City of Laredo's FY 2003-2004 Annual Budget is hereby amended by by adding one (1) Administrative Assistant I to be funded by the 9-1-1 Regional Fund, Administration Division.

PASSED BY THE CITY COUNCIL AND DAY OF,	APPROVED BY THE MAYOR ON THIS THE 2004.
	ELIZABETH G. FLORES MAYOR
ATTEST:	
GUSTAVO GUEVARA, JR. CITY SECRETARY	
ARPROVED AS TO FORM:	

RESOLUTION NO. 2004-R-034

EXPRESSING THE SUPPORT OF THE CITY COUNCIL OF THE CITY OF LAREDO FOR THE MIKE WATERS PROPOSAL TO CONTINUE THE EXISTING ALLOCATION FORMULA ESTABLISHING THE METHODOLOGY FOR THE NEXT TWO YEARS [2005-2006] AND CORRESPONDINGLY EXPRESSING ITS OPPOSITION TO THE ADOPTION OF A REVISED FORMULA AS MAY BE PROPOSED BY THE OFFICE OF RURAL COMMUNITY AFFAIRS EXECUTIVE BOARD AND DIRECTING THE CITY SECRETARY TO FORWARD A COPY OF THIS RESOLUTION TO THE EXECUTIVE BOARD OF THE OFFICE OF RURAL COMMUNITY AFFAIRS AND TO SOUTH TEXAS DEVELOPMENT COUNCIL.

WHEREAS, the City of Laredo is a political subdivision and the significant urban community in Webb County, which with Starr, Jim Hogg and Zapata Counties, is a member of the South Texas Region 19; and

WHEREAS, it has been brought to the Council's attention that the Executive Board of the Office of Rural Community Affairs, is considering revisions of the allocation formula to the various regions, which, if adopted, would adversely impact South Texas Region 19: and

WHEREAS, the Council has been advised that several revisions of the current formula have been proposed that would have the effect of reducing the current allocation of \$2,700,000.00 for Community Development Block Grants to \$1,100,000.00; and

WHEREAS, the City Council wishes to go on record as being opposed to revisions of the current formula, and as being in support of the proposal outlined by Mike Waters, Chairman of the Office of Rural Community Affairs Executive Committee, which will be referred to below as "the Mike Waters Proposal"

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: It expresses its opposition to a revision of the current formula by the Executive Board of the Office of Rural Community Affairs, which would have the effect of reducing funding to South Texas Region 19, which proposal it understands may be to be presented to the Executive Board of the Office of Regional Community Affairs on April 2, 2004; and

Section 2: It expresses its approval of the Mike Waters proposal which consists of the following elements:

Section 3: The City Secretary is directed to forward a certified copy of this resolution to the Executive Board of the Office of Rural Community Affairs and to the Executive Director of South Texas Development Council.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS _____ DAY OF MARCH, 2004.

ELIZABETH G. FLORES MAYOR

ATTESTED:

GUSTAVO GUEVARA, JR. CITY SECRETARY

APPROVED AS TO FORM:

JAIME L. FLORES CITY ATTORNEY

By:

Anthony C. McGettrick Assistant City Attorney

GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

A. Request by Council Member Jose A. Valdez, Jr.

- 1. Status report by United Water regarding water and sewer breaks that occurred recently, with possible action. (Co-Sponsored by Council Member Johnny Amaya)
- 2. Discussion with possible action to request that the City Manager ask staff to prepare an amendment to the Land Development Code, Section 24-77, to alter the minimum lot area for site built homes, specifically Section 24-77.1, Dimensional Standards to permit the minimum lot area of 4,200 sq. ft. for single family residential lots in R-1MH zones comparable to the requirements currently allowed for R-1MH manufactured homes. This amendment would allow families owning the lots to construct a single family residential unit, thus increasing the values on the tax roll. (Co-sponsored by Council Member Eliseo Valdez, Jr.)

COUNCIL COMMUNICATION

DATE: 3-29-04	SUBJECT: EXECUTIVE SESSION Request for Executive Session pursuant to Texas Government Code § 551.071 (1)(A)&(B) to consult with City Attorney on a matter of threatened litigation; and return to open session for possible action.			
INITIATED BY:		STAFF SOURCE:		
Larry Dovalina City Manager		Jaime L. Flores City Attorney		
PREVIOUS COUNCIL ACTION:				
BACKGROUND: To be discussed in executive session.				
FINANCIAL:				
DECOMMEN	NATION.	STAFF RECOMMENDATION:		
RECOMMENI	JATION;	None.		